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Commission on Crime Prevention and Criminal Justice
Eleventh session
Vienna, 16-25 April 2002
Item 2 of the provisional agenda
Adoption of the agenda and organization of work

Provisional agenda, annotations and proposed organization of work

Provisional agenda

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2. Adoption of the agenda and organization of work.
3. Thematic discussion on reform of the criminal justice system: achieving effectiveness and equity.
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5. International cooperation in combating transnational crime.
6. Work of the Centre for International Crime Prevention.
7. Strengthening international cooperation in combating terrorism.
8. Preparations for the Eleventh United Nations Congress on Crime Prevention and Criminal Justice.
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10. Provisional agenda for the twelfth session of the Commission.
11. Adoption of the report of the Commission on its eleventh session.

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Annotations

1. Election of officers

Rule 15 of the rules of procedure of the functional commissions of the Economic and Social Council provides that, at the commencement of the first meeting of a regular session, the Commission shall elect, from among the representatives of its members, a Chairman and such other officers as may be required.

In accordance with rule 16 of the rules of procedure, officers of the Commission shall hold office until their successors are elected and shall be eligible for re-election.

Beginning with its first session, in 1992, the Commission on Crime Prevention and Criminal Justice has elected a Chairman, three Vice-Chairmen and a Rapporteur. Bearing in mind the established policy of rotating offices based on the regional groups of the officers of the previous session, the officers elected by the Commission at its tenth session were from the following regional groups:

Office	*Regional group*	*Elected officer*
Chairman	Group of Asian States	Shaukat Umer (Pakistan)
First Vice-Chairman	Group of African States	Tajeddine Baddou (Morocco)
Second Vice-Chairman	Group of Eastern European States	Ivan Naydenov (Bulgaria)
Third Vice-Chairman	Group of Latin American and Caribbean States	Juan Jimenez Mayor (Peru)
Rapporteur	Group of Western European and Other States	Ignacio Baylina Ruiz (Spain)

A group composed of the five chairmen of the regional groups was established at the tenth session of the Commission to assist the Chairman in dealing with organizational matters. That group, together with the elected officers, constituted the extended bureau.

The Commission, in its resolution 5/3, recommended that the regional groups should, whenever possible, strive for continuity in the composition of its bureau, in particular by electing at least one of the retiring officers of the previous bureau of each session to serve in the next bureau.

In accordance with the rotation policy established by the Commission, the Chairman of the Commission at its eleventh session would be from the Group of African States and the Rapporteur would be from the Group of Asian States.

2. Adoption of the agenda and organization of work

Rule 7 of the rules of procedure of the functional commissions of the Economic and Social Council provides that the Commission shall, at the beginning of each session, adopt the agenda for that session on the basis of the provisional agenda.

In its decision 1997/232, the Economic and Social Council decided that the Commission, from its seventh session onwards, in addition to plenary meetings,

should be provided with full interpretation services for a total of 12 meetings for informal consultations on draft proposals and for meetings of open-ended working groups, with the precise allocation of time for the different types of meeting to be determined by the Commission under the agenda item entitled "Adoption of the agenda and organization of work", on the understanding that no more than two meetings would be held concurrently, in order to ensure maximum participation of delegations.

In its decision 2001/240, the Economic and Social Council took note of the report of the Commission on its tenth session and approved the provisional agenda for the eleventh session of the Commission. Following the intersessional meetings of the Commission held on 15 November 2001 and 14 January 2002, the provisional agenda for the eleventh session of the Commission was changed to reflect the recommendations of those meetings.

Following the adoption of the agenda, the Commission may wish to establish the timetable and agree on the organization of work for its eleventh session. A proposed organization of work for consideration by the Commission at its eleventh session is contained in the annex.

3. Thematic discussion on reform of the criminal justice system: achieving effectiveness and equity

(a) Reforming juvenile justice

(b) Integrated criminal justice reforms, with particular emphasis on prosecutors, courts and prisons

(c) Strengthening international criminal justice cooperation

In its resolution 9/1, entitled "Strategic management by the Commission on Crime Prevention and Criminal Justice of the United Nations Crime Prevention and Criminal Justice Programme", the Commission decided to continue to follow its established multi-year programme of work, according to which each of its sessions should have one prominent theme. At its tenth session, the Commission decided that the theme for its eleventh session would be "Reform of the criminal justice system" and agreed that it would decide on the sub-themes at its intersessional meetings.

At its intersessional meeting held on 14 January 2002, the Commission agreed on the following sub-themes for its eleventh session: "Reforming juvenile justice"; "Integrated criminal justice reforms, with particular emphasis on prosecutors, courts and prisons"; and "Strengthening international criminal justice cooperation".

During the thematic discussion at its eleventh session, the Commission may wish to discuss criminal justice reform in its full range. Special attention may be given to technical assistance and cooperation in support of criminal justice reform, in particular in the framework of peacekeeping and post-conflict reconstruction. The thematic discussion will be led by a panel of experts selected on the basis of equitable geographical distribution.

Documentation

Report of the Secretary-General on criminal justice reform: use and application of standards and norms, especially concerning juvenile justice and penal reform (E/CN.15/2002/3)

Report of the Secretary-General on restorative justice (E/CN.15/2002/5 and Corr.1)

Report of the meeting of the Group of Experts on Restorative Justice (E/CN.15/2002/5/Add.1)

4. United Nations standards and norms in crime prevention and criminal justice

Restorative justice

In its resolution 2000/14, the Economic and Social Council requested the Secretary-General to seek comments from Member States and relevant intergovernmental and non-governmental organizations, as well as the institutes of the United Nations Crime Prevention and Criminal Justice network, on the desirability and the means of establishing common principles on the use of restorative justice programmes in criminal matters and the advisability of developing a new instrument for that purpose. In the same resolution, the Council also requested the Secretary-General to convene, subject to the availability of voluntary contributions, a meeting of experts selected on the basis of equitable geographical representation to review the comments received and to examine proposals for further action in relation to restorative justice. The meeting of the Group of Experts on Restorative Justice was hosted by the Government of Canada and held in Ottawa from 29 October to 1 November 2001. An analysis of the comments received from Member States in response to Council resolution 2000/14 is provided in the report of the Secretary-General (E/CN.15/2002/5 and Corr.1). The recommendations of the Group of Experts and the revised draft principles on the use of restorative justice in criminal matters will be made available to the Commission in an addendum to that document (E/CN.15/2002/5/Add.1).

Effective community-based crime prevention

In its resolution 2001/11, entitled "Action to promote effective community-based crime prevention", the Economic and Social Council requested the Secretary-General to convene, subject to the availability of extrabudgetary resources, a meeting of experts selected on the basis of equitable geographical representation for the purposes of further revising the draft elements of responsible crime prevention (A/CONF.187/7, annex), with a view to arriving at a version of the draft elements on which the Commission would be able to reach consensus at its eleventh session, and of proposing priority areas for international action, including the identification of technical assistance issues, to promote effective community-based crime prevention.

In the same resolution, the Economic and Social Council welcomed the offer of the Government of Canada to host the meeting of the expert group and requested the expert group, within the context of its meeting, to consider the results of the work of the recent United Nations meetings on this subject; and requested the Secretary-General to submit a report on the results of the meeting of the expert group, including its revised version of the draft elements of responsible crime prevention

and the priority areas for international action to promote effective community-based crime prevention, to the Commission at its eleventh session for its consideration and action. The report of the Secretary-General on effective community-based crime prevention (E/CN.15/2002/4) has been prepared in response to that request.

Implementation of the United Nations Declaration on Crime and Public Security

In its resolution 51/60, the General Assembly approved the United Nations Declaration on Crime and Public Security. As part of the follow-up to that resolution, the Economic and Social Council, in its resolution 1997/34, on the implementation of the Declaration, requested the Secretary-General, utilizing a questionnaire or other means to ensure standard responses, to seek from Member States information related to the implementation of the Declaration. That request was reiterated by the Council in section I of its resolution 1998/21, entitled "United Nations standards and norms in crime prevention and criminal justice". In accordance with those requests, a draft questionnaire on the use and application of the Declaration was made available to the Commission at its eighth session. In October 1999, the Centre for International Crime Prevention of the Office for Drug Control and Crime Prevention of the Secretariat sent a note verbale and a questionnaire to Member States, intergovernmental organizations and the institutes comprising the United Nations Crime Prevention and Criminal Justice Programme network, with a view to obtaining information related to the implementation of the Declaration. At the ninth session of the Commission it was recommended to defer reporting of the survey results to the eleventh session of the Commission. The survey results will be made available to the Commission in the report of the Secretary-General on restorative justice (E/CN.15/2002/5 and Corr.1).

Implementation of the International Code of Conduct for Public Officials and the United Nations Declaration against Corruption and Bribery in International Commercial Transactions

In its resolution 51/59, the General Assembly adopted the International Code of Conduct for Public Officials and requested the Commission to keep the issue of action against corruption under regular review. In its resolution 51/191, the Assembly adopted the United Nations Declaration against Corruption and Bribery in International Commercial Transactions and requested the Economic and Social Council and its subsidiary bodies, in particular the Commission, to keep the issue of corruption and bribery in international commercial transactions under regular review and to promote the effective implementation of that resolution. The Commission at its eleventh session will have before it the report of the Secretary-General on the implementation of the International Code of Conduct for Public Officials (E/CN.15/2002/14) and the report of the Secretary-General on the implementation of the United Nations Declaration against Corruption and Bribery in International Commercial Transactions (E/CN.15/2002/6).

In section I of its resolution 1998/21, entitled "United Nations standards and norms in crime prevention and criminal justice", the Economic and Social Council requested the Secretary-General to prepare survey instruments on the United Nations Declaration against Corruption and Bribery in International Commercial Transactions and the International Code of Conduct for Public Officials. Pursuant to that request, the Centre for International Crime Prevention sent to Governments in

1999 two questionnaires on those instruments. The report of the Secretary-General on the implementation of the Declaration (E/CN.15/2002/6) and the report of the Secretary-General on the implementation of the International Code of Conduct for Public Officials (E/CN.15/2002/14) will cover the replies provided by Member States to the two questionnaires.

Documentation

Report of the Secretary-General on criminal justice reform: use and application of standards and norms, especially concerning juvenile justice and penal reform (E/CN.15/2002/3)

Note by the Secretary-General on effective community-based crime prevention (E/CN.15/2002/4)

Report of the Secretary-General on restorative justice (E/CN.15/2002/5 and Corr.1)

Report of the meeting of the Group of Experts on Restorative Justice (E/CN.15/2002/5/Add.1)

Report of the Secretary-General on the implementation of the United Nations Declaration against Corruption and Bribery in International Commercial Transactions (E/CN.15/2002/6)

Report of the Secretary-General on the implementation of the United Nations Declaration on Crime and Public Security (E/CN.15/2002/11)

Report of the Secretary-General on the implementation of the International Code of Conduct for Public Officials (E/CN.15/2002/14)

5. International cooperation in combating transnational crime

United Nations Convention against Transnational Organized Crime and the protocols thereto

In its resolution 56/120, entitled "Action against transnational organized crime: assistance to States in capacity-building with a view to facilitating the implementation of the United Nations Convention against Transnational Organized Crime and the protocols thereto", the General Assembly encouraged Member States to make adequate voluntary contributions to the United Nations Crime Prevention and Criminal Justice Fund for the provision to developing countries and countries with economies in transition of the technical assistance that they might require for implementation of the Convention and the protocols thereto, including assistance for the preparatory measures needed for that implementation, taking into account article 30 of the Convention; requested the Secretary-General to provide the Centre for International Crime Prevention with the resources necessary to enable it to promote, in an effective manner, the entry into force and implementation of the Convention and the protocols thereto, inter alia, through the provision of assistance to developing countries and countries with economies in transition for building capacity in the areas covered by the Convention and the adopted protocols thereto; and also requested the Secretary-General to submit a report on the implementation of that resolution to the Commission at its eleventh session. The report of the Secretary-General on promoting the ratification of the Convention and its protocols (E/CN.15/2002/10) has been prepared in response to that request.

Explosives

In its resolution 54/127, the General Assembly requested the Secretary-General, from within existing or extrabudgetary resources, to convene an expert group of no more than 20 members, with equitable geographical representation, to prepare a study on the illicit manufacturing of and trafficking in explosives by criminals and their use for criminal purposes, taking fully into consideration the issues listed in paragraph 2 of Economic and Social Council resolution 1998/17; and requested the Secretary-General to report, as early as possible, to the Commission on the results of the study.

The meeting of the group of experts on the illicit manufacturing of and trafficking in explosives was held in Vienna from 12 to 16 March and from 18 to 20 December 2001. A summary of the deliberations of the group of experts and its conclusions and recommendations (E/CN.15/2002/9) and the results of the study (E/CN.15/2001/9/Add.1) will be before the Commission at its eleventh session.

High-technology and computer-related crime

In its resolution 1999/23, entitled "Work of the United Nations Crime Prevention and Criminal Justice Programme", the Economic and Social Council requested the Secretary-General, taking into account the activities of the workshop on crimes related to the computer network, to be held at the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, to conduct a study on effective measures that could be taken at the national and international levels to prevent and control computer-related crime and to report on the conclusions of the study to the Commission at its tenth session. The report of the Secretary-General on the conclusions of the study (E/CN.15/2001/4) was before the Commission at its tenth session.

On the recommendation of the Commission at its tenth session, the General Assembly adopted resolution 56/261, entitled "Plans of action for the implementation of the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century". In that resolution, the Assembly took note with appreciation of the plans of action for the implementation of the Vienna Declaration, annexed to that resolution, which included a plan of action against high-technology and computer-related crime. In its resolution 56/121, the Assembly, noting the work of international and regional organizations in combating high-technology crime, welcoming the work of the Tenth Congress and recognizing with appreciation the work of the Commission at its ninth and tenth sessions and the subsequent preparation of a plan of action against high-technology and computer-related crime, decided to defer consideration of the subject of combating the criminal misuse of information technologies, pending work envisaged in the plan of action against high-technology and computer-related crime. The report of the Secretary-General on effective measures to prevent and control computer-related crime (E/CN.15/2002/8) will be before the Commission at its eleventh session.

Illicit trafficking in protected species of wild flora and fauna and illicit access to genetic resources

In its resolution 2001/12, entitled "Illicit trafficking in protected species of wild flora and fauna", the Economic and Social Council requested the Secretary-General

to prepare, within existing resources or drawing upon extrabudgetary contributions, in coordination with other competent entities of the United Nations system, a report analysing domestic, bilateral, regional and multilateral legal provisions and other relevant documents, resolutions and recommendations dealing with the prevention, combating and eradication of illicit trafficking in protected species of wild flora and fauna by organized criminal groups and to present the report to the Commission at its eleventh session; and also requested the Secretary-General to prepare, within existing resources or drawing upon extrabudgetary contributions, in coordination with other competent entities of the United Nations system, a report analysing the domestic, bilateral, regional and multilateral legal provisions and other relevant documents, resolutions and recommendations dealing with illicit access to genetic resources and also the extent to which organized criminal groups were involved therein and to present the report to the Commission at its eleventh session.

The report of the Secretary-General on progress made in the implementation of Economic and Social Council resolution 2001/12 (E/CN.15/2002/7) will be before the Commission at its eleventh session.

Action against corruption

In its resolution 55/61, the General Assembly decided to establish an ad hoc committee for the negotiation of an international legal instrument against corruption.

In its resolution 56/260, the General Assembly decided that the ad hoc committee established pursuant to Assembly resolution 55/61 should negotiate a broad and effective convention, which, subject to the final determination of its title, should be referred to as the "United Nations Convention against Corruption"; also decided that the ad hoc committee should be convened in Vienna in 2002 and 2003, as required, and should hold no fewer than three sessions of two weeks each per year, within the overall approved appropriations of the programme budget for the biennium 2002-2003, according to a schedule to be drawn up by its bureau, and requested the ad hoc committee to complete its work by the end of 2003; accepted with gratitude the offer of the Government of Argentina to host an informal preparatory meeting of the ad hoc committee, prior to its first session; and requested the ad hoc committee to submit progress reports on its work to the Commission at its eleventh and twelfth sessions, in 2002 and 2003, respectively. The progress made by the ad hoc committee will be presented in the report of the Executive Director on the work of the Centre for International Crime Prevention (E/CN.15/2002/2).

Documentation

Report of the Executive Director on the work of the Centre for International Crime Prevention (E/CN.15/2002/2)

Report of the Secretary-General on progress made in the implementation of Economic and Social Council resolution 2001/12 (E/CN.15/2002/7)

Report of the Secretary-General on effective measures to prevent and control computer-related crime (E/CN.15/2002/8)

Report of the Secretary-General on the illicit manufacturing of and trafficking in explosives by criminals and their use for criminal purposes (E/CN.15/2002/9)

Report of the Secretary-General on the results of the study on the illicit manufacturing of and trafficking in explosives by criminals and their use for criminal purposes (E/CN.15/2002/9/Add.1)

Report of the Secretary-General on promoting the ratification of the United Nations Convention against Transnational Organized Crime and the protocols thereto (E/CN.15/2002/10)

6. Work of the Centre for International Crime Prevention

Technical cooperation

In its resolution 56/123, entitled "Strengthening of the United Nations crime prevention and criminal justice programme, in particular its technical cooperation capacity", the General Assembly reaffirmed the importance of the United Nations Crime Prevention and Criminal Justice Programme in promoting effective action to strengthen international cooperation in crime prevention and criminal justice, in responding to the needs of the international community in the face of both national and transnational criminality and in assisting Member States in achieving the goals of preventing crime within and among States and improving the response to crime; and also reaffirmed the role of the Centre for International Crime Prevention in providing to Member States, upon request, technical cooperation, advisory services and other forms of assistance in the field of crime prevention and criminal justice, including in the areas of prevention and control of transnational organized crime and terrorism.

In its resolution 1999/23, the Economic and Social Council noted the initiative of the Centre for International Crime Prevention, in cooperation with the United Nations Interregional Crime and Justice Research Institute, in developing the global programme against trafficking in human beings, the global programme against corruption and the global studies on transnational organized crime, but stressed that the programmes promoted by the Centre should be formulated on the basis of close consultation with Member States and review by the Commission.

In its resolution 56/123, the General Assembly welcomed the programme of work of the Centre for International Crime Prevention, including the three global programmes addressing, respectively, the trafficking in human beings, corruption and organized crime, formulated on the basis of close consultations with Member States and review by the Commission, and called on the Secretary-General further to strengthen the Centre by providing it with the resources necessary for the full implementation of its mandate.

The status of implementation of the three global programmes will be dealt with in the report of the Executive Director on the work of the Centre for International Crime Prevention (E/CN.15/2002/2).

Crime prevention and criminal justice

In its resolution 1999/23, the Economic and Social Council called on the Centre for International Crime Prevention to reinforce its efforts to focus its technical cooperation activities on priority issues and concerns in crime prevention and criminal justice, to pursue a comprehensive approach in carrying out its operational activities, to coordinate fully its activities with recipient and donor countries and to

interact with other relevant United Nations entities and with the United Nations Crime Prevention and Criminal Justice Programme network.

In its resolution 56/123, the General Assembly urged States and funding agencies to review, as appropriate, their funding policies for development assistance and to include a crime prevention and criminal justice component in such assistance; and expressed support for the high priority given to technical cooperation and advisory services in the field of crime prevention and criminal justice, including in the area of prevention and control of transnational organized crime and terrorism, and stressed the need to enhance the operational activities of the Centre for International Crime Prevention to assist, in particular, developing countries and countries with economies in transition.

Resource mobilization

In section II of its resolution 6/1, the Commission expressed its appreciation to the members of the informal consultative group on resource mobilization and decided that the informal consultative group should also serve as the mechanism for resource mobilization and coordination of activities in the area of technical assistance, as envisaged in paragraph 15 of its resolution 5/2.

In section II of its resolution 7/1, the Commission called upon Member States to contribute on an annual basis, if possible, to the United Nations Crime Prevention and Criminal Justice Fund in order to cover the cost of improving the infrastructure of the Centre for International Crime Prevention and its capacity to develop and administer the technical cooperation component of the United Nations Crime Prevention and Criminal Justice Programme and to develop essential training tools; also called upon Member States to discuss with the Centre funding modalities and options for technical cooperation for crime prevention and criminal justice; and encouraged Member States to provide the Centre with information regarding the achievements of technical cooperation projects executed by the Centre, highlighting the importance of such projects, in order to attract more attention to and enhance interest in them.

In its resolution 56/123, the General Assembly invited all States to support, through voluntary contributions to the United Nations Crime Prevention and Criminal Justice Fund, the operational activities of the United Nations Crime Prevention and Criminal Justice Programme; and urged States and funding agencies to review, as appropriate, their funding policies for developing assistance and to include a crime prevention and criminal justice component in such assistance; also invited States to make adequate voluntary contributions to the Crime Prevention and Criminal Justice Fund in order to strengthen the capacity of the Centre for International Crime Prevention to provide technical assistance to requesting States for the implementation of the commitments entered into at the Tenth Congress, including the measures outlined in the plans of action to implement the Vienna Declaration on Crime and Justice; and welcomed the voluntary contributions for the entry into force and implementation of the United Nations Convention against Transnational Organized Crime and the protocols thereto, through the United Nations funding mechanism specifically designed for that purpose in the Convention.

Documentation

Report of the Executive Director on the work of the Centre for International Crime Prevention (E/CN.15/2002/2)

7. Strengthening international cooperation in combating terrorism

In its resolution 56/123, the General Assembly reaffirmed the role of the Centre for International Crime Prevention in providing to Member States, upon request, technical cooperation, advisory services and other forms of assistance in the field of crime prevention and criminal justice, including in the areas of prevention and control of transnational organized crime and terrorism; and invited the Secretary-General to consider, in consultation with Member States and the Commission, ways in which the Centre could contribute to the efforts of the United Nations system against terrorism, in accordance with relevant Assembly and Security Council resolutions.

In its resolution 56/253, the General Assembly requested the Secretary-General to make proposals to strengthen the Terrorism Prevention Branch at the United Nations Office at Vienna to enable it to carry out its mandate as approved by the Assembly and to report thereon to the Assembly for its consideration.

Strengthening international cooperation in combating terrorism will be dealt with in the report of the Executive Director on the work of the Centre for International Crime Prevention (E/CN.15/2002/2).

Documentation

Report of the Executive Director on the work of the Centre for International Crime Prevention (E/CN.15/2002/2)

8. Preparations for the Eleventh United Nations Congress on Crime Prevention and Criminal Justice

In its resolution 56/119, entitled "Role, function, periodicity and duration of the United Nations congresses on the prevention of crime and the treatment of offenders", the General Assembly decided to continue holding the United Nations congresses in accordance with paragraphs 29 and 30 of the statement of principles and programme of action of the United Nations Crime Prevention and Criminal Justice Programme (Assembly resolution 46/152, annex), following a dynamic, interactive and cost-effective method of work and a focused programme of work, and to call them the United Nations congresses on crime prevention and criminal justice; also decided that, beginning in 2005, the congresses, pursuant to paragraphs 29 and 30 of the statement of principles and programme of action, should be held in accordance with the guidelines contained in paragraph 2 of that resolution; requested the Commission to continue to act as the preparatory body for the congresses and to follow the guidelines in organizing future congresses; also requested the Commission to formulate, at its eleventh session, recommendations regarding the Eleventh United Nations Congress on Crime Prevention and Criminal Justice, including recommendations on the main topic, the organization of round tables and workshops to be held by panels of experts and the venue and duration of the Eleventh Congress, and to submit those recommendations, through the Economic and Social Council, to the Assembly at its fifty-seventh session; further

requested the Commission to formulate, at its eleventh session, appropriate recommendations to enable the Council to introduce the necessary amendments to the rules of procedure for the congresses to reflect the guidelines contained in paragraph 2 of the resolution; and requested the Secretary-General to ensure the proper follow-up to the resolution and to report thereon to the Assembly, through the Commission at its eleventh session. The report of the Secretary-General on preparations for the Eleventh Congress (E/CN.15/2002/12) has been prepared in response to that request.

Documentation

Report of the Secretary-General on preparations for the Eleventh United Nations Congress on Crime Prevention and Criminal Justice (E/CN.15/2002/12)

9. Strategic management and programme questions

Strategic management

In section I of its resolution 6/1, entitled "Strategic management by the Commission on Crime Prevention and Criminal Justice of the United Nations Crime Prevention and Criminal Justice Programme", the Commission requested its bureau to report on its intersessional work annually; and decided to establish a multi-year work plan, each year being devoted to a specific theme, in an effort to simplify the agenda of the Commission and to plan substantive discussions in advance. At its sixth session, the Commission established the themes for the seventh, eighth and ninth sessions.

In its resolution 1999/51, entitled "Restructuring and revitalization of the United Nations in the economic, social and related fields and cooperation between the United Nations and the Bretton Woods institutions", the Economic and Social Council invited the Commission to consider adopting a multi-year programme of work.

At its ninth session, the Commission decided that it should decide each year on the prominent theme for its subsequent session, as that would provide it with flexibility in selecting the most appropriate theme. At its tenth session, the Commission decided that the theme for its eleventh session should be "Reform of the criminal justice system". The Commission at its eleventh session is invited to select the theme for its twelfth session.

Programme questions

In section I of its resolution 7/1, the Commission called upon the Secretary-General, in line with the priorities of the United Nations as set out in the medium-term plan for the period 1998-2001, to further strengthen the resources of the Centre for International Crime Prevention in order to achieve a better balance between its far-reaching mandates and its resources; and to pursue his efforts to redeploy savings in administration and conference services to the highest-priority programmes, including the United Nations Crime Prevention and Criminal Justice Programme, for support to operational activities. In its resolution 1999/23, the Economic and Social Council welcomed Commission resolution 7/1.

In its resolution 55/234, the General Assembly adopted the proposed medium-term plan for the period 2002-2005, including programme 12 (Crime prevention and

criminal justice). At its eleventh session, the Commission will have before it the proposed revisions to the medium-term plan, reflecting the most recent mandates for its comments and observations.

In its resolution 56/253, the General Assembly requested the Secretary-General to make proposals to strengthen the Terrorism Prevention Branch at the United Nations Office at Vienna to enable it to carry out its mandate as approved by the Assembly. The programme budget for the biennium 2002-2003, including section 14 (Crime prevention and criminal justice), approved by the Assembly, will be brought to the attention of the Commission for information.

Triennial review of the implementation of the recommendations made by the Committee for Programme and Coordination at its thirty-eighth session on the in-depth evaluation of the United Nations crime prevention and criminal justice programme; and the inspection of programme management and administrative practices in the Office for Drug Control and Crime Prevention

The Committee for Programme and Coordination at its forty-first session considered the note by the Secretary-General transmitting the report of the Office of Internal Oversight Services on the triennial review of the implementation of the recommendations made by the Committee at its thirty-eighth session on the in-depth evaluation of the United Nations crime prevention and criminal justice programme (E/AC.51/2001/5). The note by the Secretary-General transmitting the report of the Office of Internal Oversight Services on the triennial review (E/AC.51/2001/5), the relevant sections of the report of the Committee on its forty-first session (A/56/16) and the note by the Secretary-General transmitting the report of the Office of Internal Oversight Services on the inspection of programme management and administrative practices of the Office for Drug Control and Crime Prevention (A/56/83) will be made available to the Commission at its eleventh session for information.

United Nations Interregional Crime and Justice Research Institute

Pursuant to article IV, paragraph 2 (a), of the statute of the United Nations Interregional Crime and Justice Research Institute (Economic and Social Council resolution 1989/56, annex), the members of the Board of Trustees of the Institute serving in their individual capacity are selected by the Commission upon nomination by the Secretary-General and are endorsed by the Council.

The Commission is invited to recommend for appointment to the Board two candidates to fill positions on the Board that have become vacant as a result of Adedokun A. Adeyemi and Karoly Bard having completed their terms of office as members of the Board.

Documentation

Relevant sections of the report of the Committee for Programme and Coordination on its forty-first session (11 June-6 July 2001) (A/56/16)

Note by the Secretary-General transmitting the report of the Office of Internal Oversight Services on the inspection of programme management and administrative practices of the Office for Drug Control and Crime Prevention (A/56/83)

Note by the Secretary-General transmitting the report of the Office of Internal Oversight Services on the triennial review of the implementation of the recommendations made by the Committee for Programme and Coordination at its thirty-eighth session on the in-depth evaluation of the United Nations crime prevention and criminal justice programme (E/AC.51/2001/5)

Report of the Executive Director on the work of the Centre for International Crime Prevention (E/CN.15/2002/2)

Note by the Secretary-General on the nomination of members of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute (E/CN.15/2002/13)

Note by the Secretary-General on the proposed revisions to the medium-term plan for the period 2002-2005 (E/CN.15/2002/15)

10. Provisional agenda for the twelfth session of the Commission

In accordance with rule 9 of the rules of procedure of the Economic and Social Council, the Commission will have before it the provisional agenda for its twelfth session, together with an indication of the documents to be submitted under each agenda item and the legislative authority for their preparation.

11. Adoption of the report of the Commission on its eleventh session

The Commission will adopt the report on its eleventh session prepared by the Rapporteur.

Annex

Proposed organization of work

1. In its decision 1997/232, the Economic and Social Council decided that the Commission on Crime Prevention and Criminal Justice, from its seventh session onwards, in addition to plenary meetings, should be provided with full interpretation services for a total of 12 meetings for informal consultations on draft proposals and for meetings of open-ended working groups, with the precise allocation of time for the different types of meeting to be determined by the Commission under the agenda item entitled "Adoption of the agenda and organization of work", on the understanding that no more than two meetings would be held concurrently, in order to ensure maximum participation of delegations.

2. The proposed organization of work has been prepared in order to allow the Commission to make full use of the resources available to it. As soon as discussion on an item or sub-item has been concluded, the Commission may wish to proceed to the following item or sub-item. Suggested meeting times are from 10 a.m. to 1 p.m. and from 3 to 6 p.m.

Proposed organization of work

Date and time	*Agenda item*	*Plenary*	*Committee of the Whole*
Week of 16-19 April 2002			
Tuesday, 16 April			
9.30 a.m.		Informal (organizational) meeting for heads of delegations	
10 a.m.-1 p.m.	1	Election of officers	
	2	Adoption of the agenda and organization of work	
	3	Thematic discussion on reform of the criminal justice system: achieving effectiveness and equity	
3-6 p.m.	3	Continuation of item 3	
Wednesday, 17 April			
10 a.m.-1 p.m.	3	Continuation and conclusion of item 3	Informal consultations Criminal justice reform workshop: institutes affiliated with the United Nations
12 noon	3	Closure of the list of speakers on item 3	

Date and time	*Agenda item*	*Plenary*	*Committee of the Whole*
3-6 p.m.	4	United Nations standards and norms in crime prevention and criminal justice	Informal consultations Criminal justice reform workshop: institutes affiliated with the United Nations
Thursday, 18 April			
10 a.m.-1 p.m.	4	Continuation and conclusion of item 4	Informal consultations: recommendations related to item 4
12 noon	4	Closure of the list of speakers on item 4	
3-6 p.m.	5	International cooperation in combating transnational crime	Informal consultations: recommendations related to item 4
Friday, 19 April			
10 a.m.-1 p.m.	5	Continuation and conclusion of item 5	Informal consultations: recommendations related to item 5
12 noon	5	Closure of the list of speakers on item 5	
3-6 p.m.	6	Work of the Centre for International Crime Prevention	Informal consultations: recommendations related to item 5
Week of 22-25 April 2002			
Monday, 22 April			
10 a.m.-1 p.m.	6	Continuation and conclusion of item 6	Informal consultations: recommendations related to item 8
12 noon	6	Closure of the list of speakers on item 6	
3-6 p.m.	7	Strengthening international cooperation in combating terrorism	Informal consultations: recommendations related to item 8
Tuesday, 23 April			
10 a.m.-1 p.m.	7	Continuation of item 7 Continuation and conclusion of item 7	Informal consultations: draft resolutions
12 noon	7	Closure of the list of speakers on item 7	

Date and time	*Agenda item*	*Plenary*	*Committee of the Whole*
Wednesday, 24 April			
10 a.m.-1 p.m.	8	Preparations for the Eleventh United Nations Congress on Crime Prevention and Criminal Justice	Informal consultations: draft resolutions
		Continuation and conclusion of item 8	
12 noon	8	Closure of the list of speakers on item 8	
3-6 p.m.	9	Strategic management and programme questions	Informal consultations: draft resolutions
		Continuation and conclusion of item 9	
		Action on outstanding matters	
Thursday, 25 April			
10 a.m.-1 p.m.	10	Provisional agenda for the twelfth session of the Commission	
	11	Adoption of the report of the Commission on its eleventh session	

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Commission on Crime Prevention and Criminal Justice
Eleventh session
Vienna, 16-25 April 2002
Item 2 of the provisional agenda
Adoption of the agenda and organization of work

Provisional agenda, annotations and proposed organization of work

Corrigendum

1. **Page 5, second paragraph**

   Line 11: *For* E/CN.15/2002/14 *read* E/CN.15/2002/6/Add.1 and Add.3

   Line 13: *After* E/CN.15/2002/6 *insert* and Add.2

2. **Page 6**

   Line 2: *After* E/CN.15/2002/6 *insert* and Add.2

   Line 4: *For* E/CN.15/2002/14 *read* E/CN.15/2002/6/Add.1 and Add.3

   Line 17: *After* E/CN.15/2002/6 *insert* and Add.2

   Line 21: *For* E/CN.15/2002/14 *read* E/CN.15/2002/6/Add.1 and Add.3

3. **Page 14, line 12**

   For E/CN.15/2002/15 *read* E/CN.15/2002/CRP.1

4. **Pages 15-17**

   Replace the annex with the attached text

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Annex

Proposed organization of work

1. In its decision 1997/232, the Economic and Social Council decided that the Commission on Crime Prevention and Criminal Justice, from its seventh session onwards, in addition to plenary meetings, should be provided with full interpretation services for a total of 12 meetings for informal consultations on draft proposals and for meetings of open-ended working groups, with the precise allocation of time for the different types of meeting to be determined by the Commission under the agenda item entitled "Adoption of the agenda and organization of work", on the understanding that no more than two meetings would be held concurrently, in order to ensure maximum participation of delegations.

2. The proposed organization of work has been prepared in order to allow the Commission to make full use of the resources available to it. As soon as discussion on an item or sub-item has been concluded, the Commission may wish to proceed to the following item or sub-item. Suggested meeting times are from 10 a.m. to 1 p.m. and from 3 to 6 p.m.

Proposed organization of work

Date and time	*Agenda item*	*Plenary*	*Committee of the Whole*
Week of 16-19 April 2002			
Tuesday, 16 April			
9.30 a.m.		Informal (organizational) meeting for heads of delegations	
10 a.m.-1 p.m.	1	Election of officers	
	2	Adoption of the agenda and organization of work	
	3	Thematic discussion on reform of the criminal justice system: achieving effectiveness and equity	
3-6 p.m.	3	Continuation of item 3	
Wednesday, 17 April			
10 a.m.-1 p.m.	3	Continuation and conclusion of item 3	Informal consultations Criminal justice reform workshop: institutes affiliated with the United Nations
12 noon	3	Closure of the list of speakers on item 3	

Date and time	*Agenda item*	*Plenary*	*Committee of the Whole*
3-6 p.m.	4	United Nations standards and norms in crime prevention and criminal justice	Informal consultations Criminal justice reform workshop: institutes affiliated with the United Nations
Thursday, 18 April			
10 a.m.-1 p.m.	4	Continuation and conclusion of item 4	Informal consultations on draft resolutions
12 noon	4	Closure of the list of speakers on item 4	
3-6 p.m.	6	Work of the Centre for International Crime Prevention	Informal consultations on draft resolutions
Friday, 19 April			
10 a.m.-1 p.m.	6	Continuation and conclusion of item 6	Informal consultations on draft resolutions
12 noon	6	Closure of the list of speakers on item 6	
3-6 p.m.	5	International cooperation in combating transnational crime	Informal consultations on draft resolutions
Week of 22-25 April 2002			
Monday, 22 April			
10 a.m.-1 p.m.	5	Continuation and conclusion of item 5	Informal consultations on draft resolutions
12 noon	5	Closure of the list of speakers on item 5	
3-6 p.m.	7	Strengthening international cooperation in combating terrorism	Informal consultations on draft resolutions
Tuesday, 23 April			
10 a.m.-1 p.m.	7	Continuation of item 7 Continuation and conclusion of item 7	Informal consultations on draft resolutions
12 noon	7	Closure of the list of speakers on item 7	
3-6 p.m.	8	Preparations for the Eleventh United Nations Congress on Crime Prevention and Criminal Justice	Informal consultations on draft resolutions

Date and time	*Agenda item*	*Plenary*	*Committee of the Whole*
Wednesday, 24 April			
10 a.m.-1 p.m.	8	Continuation and conclusion of item 8	Informal consultations on draft resolutions
12 noon	8	Closure of the list of speakers on item 8	
3-6 p.m.	9	Strategic management and programme questions	Informal consultations on draft resolutions
		Continuation and conclusion of item 9	
		Action on outstanding matters	
Thursday, 25 April			
10 a.m.-1 p.m.	10	Provisional agenda for the twelfth session of the Commission	
	11	Adoption of the report of the Commission on its eleventh session	
3-6 p.m.	11	Continuation and conclusion of item 11	

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Commission on Crime Prevention and Criminal Justice
Eleventh session
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Item 6 of the provisional agenda*
Work of the Centre for International Crime Prevention

Work of the Centre for International Crime Prevention

Report of the Executive Director**

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* E/CN.15/2002/1.

** The delay in submitting the present report was due to the need to include information on events that took place in January 2002.

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I. Introduction

1. The catastrophic terrorist attacks of 11 September 2001 represented a quantum leap in the manifestation of terrorism and shocked the international community. The global response has clearly demonstrated that such unprovoked attacks on civilians are unacceptable by any standards. The United Nations has expressed its solidarity with the United States of America on every level, from the General Assembly and the Security Council to the level of the staff.

2. The tragic events of 11 September have radically altered perspectives on security. Citizens no longer feel threatened primarily by military attacks. Terrorism and other crimes such as organized crime, drug trafficking, trafficking in persons, money-laundering and corruption are now universal concerns. Organized criminal and terrorist groups do indeed threaten human security on a large scale in many parts of the world. To the thousands of victims of terrorism, the hundreds of thousands of victims of organized crime must be added. Through the corruption of politicians, public officials and judges, organized criminal and terrorist groups target the very foundations of democracy and of the rule of law. By undermining State institutions, they weaken both the duly constituted authorities and civil society at large, creating environments conducive to the execution and expansion of their criminal plans.

3. A strong consensus has emerged that such global security threats must be tackled expeditiously, comprehensively and with a lasting commitment. It is also generally understood that international cooperation is key to the success of any such action. Ways must be found to better integrate the poorest segments of the population into the world economy and to ensure a more balanced distribution of wealth. Arrangements for cross-border criminal justice cooperation against transnational criminal groups and their financial and social support structures must be strengthened. The political will to overcome traditional obstacles to international criminal justice cooperation is now universally in evidence.

II. Meeting new demands

4. The United Nations Crime Prevention and Criminal Justice Programme is the world's premier institutional framework for criminal justice cooperation. Its policy-making body, the Commission on Crime Prevention and Criminal Justice and its secretariat, the Centre for International Crime Prevention of the Office for Drug Control and Crime Prevention (ODCCP) of the Secretariat, are confronted with an unprecedented demand for normative, analytical and operational support for concerted action against global crime.

A. Normative support

5. In the normative field, global action requires new legal provisions in national law and new international legal instruments. In domestic legislation, a balance must be struck between the need for effective preventive action against incipient manifestations of global threats on the one hand and the protection of human rights and civil liberties on the other. Guidance can come from model laws and existing United Nations standards and norms for crime prevention and criminal justice.

6. At the international level a major step forward is needed in effective criminal justice cooperation. The conventional institutions and mechanisms for cross-border cooperation in law enforcement and prosecution are generally regarded as inadequate. It has been commented that States are fighting a twenty-first-century battle against global criminal threats with obsolete, nineteenth-century legal tools. In international criminal law a new balance must be struck between the need to counter supranational criminal threats and the sovereignty of States. Law enforcement agencies and judiciaries across the world must be allowed, within approved legal frameworks, to communicate and cooperate with their counterparts in other countries, in order to be more effective. The European Union has set a telling example with the adoption of the European arrest warrant for several types of crime.

7. The existing United Nations conventions against terrorism, in particular the International Convention for the Suppression of the Financing of Terrorism (General

Assembly resolution 54/109, annex), should be signed, ratified and implemented by many more Member States. The entry into force of that and other anti-terrorist conventions must be actively promoted. The newly adopted United Nations Convention against Transnational Organized Crime (the "Organized Crime Convention") and the three protocols thereto (General Assembly resolutions 55/25, annexes I-III, and 55/255, annex, respectively) are no less important tools in the fight against transnational crime. Funds for terrorist activities are often raised through criminal activities such as drug and arms trafficking, kidnapping, extortion and money-laundering. Such supporting criminal activities are fully covered by the Organized Crime Convention, whose provisions on law enforcement cooperation, mutual legal aid and extradition can facilitate criminal justice action against terrorist groups involved in organized crime. Several provisions for action in the Protocol against the Smuggling of Migrants by Land, Sea and Air and the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition are also of direct relevance.

8. The Centre has embarked on a comprehensive pre-ratification assistance programme for the Organized Crime Convention and the protocols thereto. The programme comprises high-level seminars, assessments of legislative and institutional needs, technical round tables and legal advisory services. Subregional seminars have been organized in Burkina Faso, Guatemala, the Islamic Republic of Iran, South Africa and Trinidad and Tobago. The Centre has made proposals to the donor community for resources to undertake a similar programme in relation to anti-terrorist conventions.

B. Analytic support

9. Reliable and timely information is key to the success of international cooperation. Collection and exchange of data on trends in organized crime and on best practices in fighting it are provided for in the Organized Crime Convention. The Centre has laid the groundwork for systematic collection of data on organized crime and terrorism and its various links through the development of databases on terrorist incidents, terrorist groups, organized crime cases and flows of trafficking in persons and smuggling of migrants. Those databases will be developed further and used for policy-oriented analyses. The Centre has started to prepare a second world report on crime and criminal justice, which will include data on terrorism and corruption.

C. Operational support

10. The international community cannot be satisfied with the mere reinforcement of international criminal law on the books. What is needed first and foremost is more effective international criminal law in action. In the Organized Crime Convention, special provisions for technical assistance and training and for technical cooperation with developing countries are of foremost importance. Technical cooperation has become part of the core business of the Centre. The number of technical cooperation projects carried out by the Centre has grown significantly. Country projects against trafficking in persons and corruption in, for example, Colombia, Hungary, Nigeria, the Philippines, Romania and South Africa are starting to bear fruit.

11. The Centre's technical cooperation activities are focused at present on a limited set of priority areas such as organized crime, trafficking in persons, corruption and juvenile justice. They should be expanded to include criminal justice reform and institution-building. Technical assistance modules are being developed and pilot tested in country projects. Examples are modules for launching national strategies against corruption, for improving judicial integrity, for capacity-building of specialized anti-mafia units and for upgrading juvenile justice systems. Many of the modules and tools, which are of obvious relevance for the fight against global criminal threats and terrorism, could efficiently be further developed and adapted with that aim in mind.

D. The institutional framework

12. The Commission on Crime Prevention and Criminal Justice has stepped up its activities. Over the past several years it has established a commendable record as a legislative body. On its recommendation, four complex international legal instruments have been negotiated in a relatively short period of time. The Ad Hoc Committee for the Elaboration of a Convention against Transnational Organized Crime will probably

be called upon next year to draw up rules of procedure for the Conference of Parties to the Convention. Subsequently, the Conference will start its work of promoting and reviewing the implementation of the Convention and the protocols thereto.

13. At its resumed tenth session in September 2001, the Commission recommended to the General Assembly the terms of reference for a convention against corruption.[1] At the same resumed session, agreement was also reached on plans of action[2] for the implementation of and follow-up to the commitments undertaken in the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-First Century (General Assembly resolution 55/59, annex). Those plans of action provide a framework for the work ahead in the coming years.

14. The plan of action against terrorism, adopted just days before the events of 11 September, has acquired a new political significance. That is also true for the other plans of action, not only because of the links between terrorism and transnational organized crime, trafficking in persons, smuggling of migrants, illicit manufacturing of and trafficking in firearms and money-laundering, but also because there is a much greater perceived need for more effective action on the part of the entire criminal justice system. The Centre is called upon to support the proposed national action of Member States in many ways. The plans of action also propose several tasks for the Centre itself under the subheading "International action", for which the Commission will have to provide adequate follow-up for their implementation.

15. The Commission and the Centre are faced with a full and challenging agenda. They also face high expectations on the part of the international community.

16. The Centre has built up expertise in the normative, analytical and operational aspects of the fight against global criminal threats. Its professional staff, although small and overstretched by existing mandates, has been focusing its work on clear priorities and improved its capacity to design and carry out technical assistance through integration of functions, also in response to the recommendations of the Office of Internal Oversight Services. It will be well placed to make a more substantial contribution to the fight against global criminal threats if its resources are strengthened.

17. The Centre stands ready to meet its challenges, in close cooperation and synergy with the United Nations International Drug Control Programme (UNDCP). In order to be successful in that endeavour it requires policy guidance from the Commission. It also requires the full support of Governments for the strengthening of its regular and extrabudgetary resources in order to become more effective and responsive to the needs of Member States.

III. Ad Hoc Committee for the Elaboration of a Convention against Transnational Organized Crime

A. The promotion of the entry into force of the United Nations Convention against Transnational Organized Crime and the protocols thereto

18. Following the successful completion of the Convention and two of the protocols thereto and their adoption by the General Assembly by its resolution 55/25 of 15 November 2000, the Ad Hoc Committee on the Elaboration of a Convention against Transnational Organized Crime successfully completed its work on the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition at its eleventh session, held in Vienna from 26 February to 2 March 2001. The General Assembly adopted the Protocol by its resolution 55/255 of 31 May 2001 and the Protocol was opened for signature at United Nations Headquarters on 2 July 2001. At the time of writing, 25 States and the European Community had signed the Protocol.

19. Following the High-Level Political Signing Conference, held in Palermo, Italy, from 12 to 15 December 2000 (see A/56/380), the Centre for International Crime Prevention has assisted and supported the efforts of countries to ratify the new instruments. A series of regional and subregional seminars have been conducted to review with Member States the legislative and administrative steps needed for the ratification of the instruments in the context of their respective domestic legal systems. Details on the activities of the Centre in that regard are contained in

the report of the Secretary-General (E/CN.15/2002/10), prepared pursuant to General Assembly resolution 56/120 of 19 December 2001.

B. Work of the Group of Experts on the Illicit Manufacturing of and Trafficking in Explosives by Criminals and Their Use for Criminal Purposes

20. In its resolution 54/127 of 17 December 1999, the General Assembly requested the Secretary-General, from within existing or extrabudgetary resources, to convene an expert group of no more than 20 members, with equitable geographical representation, to prepare a study on the illicit manufacturing of and trafficking in explosives by criminals and their use for criminal purposes; also requested the Secretary-General to report to the Commission on the results of the study; and directed the Ad Hoc Committee on the Elaboration of a Convention against Transnational Organized Crime, following the completion of the study, to consider the possible development of an international instrument on the illicit manufacturing of and trafficking in explosives.

21. The Group of Experts met in Vienna from 12 to 16 March and from 18 to 21 December 2001. At its first meeting, it reviewed existing documents and instruments dealing with explosives, prepared a survey questionnaire for distribution to Member States and undertook to conduct additional research in several key areas. The questionnaire was distributed on 4 July 2001 and when the results were analysed, on 10 November 2001, 35 States had provided replies.

22. At its second meeting, the Group of Experts finalized its study on the basis of the replies and the experience of its members. It concluded that, while explosive-related incidents constituted a significant crime problem in some individual States, most offences did not involve organized criminal groups within the ambit of the United Nations Convention against Transnational Organized Crime and, of those which did involve such groups, relatively few also involved transnational elements. As a result, it made no recommendation regarding a possible international instrument. It did, however, make a number of recommendations concerning domestic explosive-related problems. The report of the Secretary-General on the illicit manufacturing of and trafficking in explosives by criminals and their use for criminal purposes will be before the Commission at its eleventh session (E/CN.15/2002/9) and the results of the study by the Group of Experts will be presented in an addendum to that report (E/CN.15/2002/9/Add.1).

IV. Negotiation of the draft United Nations Convention against Corruption and other steps to combat corruption

23. In its resolution 55/61 of 4 December 2000, the General Assembly recognized that an effective international legal instrument against corruption, independent of the United Nations Convention against Transnational Organized Crime, was desirable; and decided to begin the negotiation of such an instrument in Vienna at the headquarters of the Centre for International Crime Prevention of Office for Drug Control and Crime Prevention.

24. In its resolution 55/188 of 20 December 2000, the General Assembly reiterated its request to the Secretary-General, as contained in resolution 55/61, to convene an intergovernmental open-ended expert group to examine and prepare draft terms of reference for the negotiation of a future legal instrument against corruption.

25. Pursuant to resolutions 55/61 and 55/188, the Intergovernmental Open-Ended Expert Group to Prepare Draft Terms of Reference for the Negotiation of a Future Legal Instrument against Corruption met in Vienna from 30 July to 3 August 2001. Taking into consideration the relevant report of the Secretary-General (E/CN.15/2001/3 and Corr.1) and the recommendations of the Commission at its tenth session (see E/2001/30 and Corr.1), the Intergovernmental Expert Group produced draft terms of reference for the negotiation of the new international legal instrument and recommended their adoption to the General Assembly, through the Commission on Crime Prevention and Criminal Justice and the Economic and Social Council (see A/56/402-E/2001/105, para. 5). At its resumed session, held in Vienna on 6 and 7 September 2001, the Commission approved the draft terms of reference and forwarded them to the General Assembly, through the Economic and Social Council, for consideration and action.[2]

26. By its resolution 56/260 of 31 January 2002, the General Assembly adopted the draft terms of reference for the ad hoc committee for the negotiation of a United Nations convention against corruption; decided that the ad hoc committee should negotiate a broad and effective convention, which, subject to the final determination of its title, should be referred to as the "United Nations Convention against Corruption"; requested the Committee to take a multidisciplinary approach and to consider an indicative list of elements, set out in paragraph 3 of the resolution; and decided that the ad hoc committee should meet in Vienna in 2002 and 2003, holding no fewer than three two-week sessions in each year; and requested it to complete its work by the end of 2003.

27. In resolution 56/260, the General Assembly accepted with gratitude the offer of the Government of Argentina to host an informal preparatory meeting of the ad hoc committee prior to its first session, which was held in Buenos Aires from 4 to 7 December 2001 (see A/AC.261/2 and Corr.1).

28. Pursuant to resolution 56/260, the Ad Hoc Committee for the Negotiation of a Convention against Corruption held its first session in Vienna from 21 January to 1 February 2002, at which it began its first reading of the draft convention against corruption and reviewed articles 1-39 of the draft text (see A/AC.261/4).

29. During 2001, countries were briefed on the state of progress towards an international instrument against corruption in a number of meetings, including several of the regional and subregional seminars on ratification of the United Nations Convention against Transnational Organized Crime and the protocols thereto. These included meetings with member States of the Association of South-East Asian Nations (ASEAN) (Hanoi from 8 to 10 August 2001), the Economic Cooperation Organization (Islamic Republic of Iran from 2 to 4 October 2001) and the Economic Community of West African States (ECOWAS) (Burkina Faso from 28 to 30 November 2001). The Centre participated actively in the Global Forum on Fighting Corruption, held in the Hague from 27 to 30 May 2001.

30. At the tenth session of the Commission, the representative of Mexico announced that his Government had offered to host the Eleventh United Nations Congress on Crime Prevention and Criminal Justice. On 26 February 2002, the Government of Mexico informed the Centre for International Crime Prevention that it would withdraw its offer and support the offer by the Government of Thailand to host the Eleventh Congress. On the same occasion, the Government of Mexico expressed its desire to host the signing of the United Nations Convention against Corruption. (Pursuant to General Assembly resolution 56/260, the Ad Hoc Committee for the Negotiation of a Convention against Corruption is to complete its work by the end of 2003.)

V. Prevention of terrorism

31. The Terrorism Prevention Branch of the Centre for International Crime Prevention is charged with both research and technical assistance in the area of terrorism prevention. Owing to lack of resources, emphasis has been placed on research and analysis. A global terrorism survey is in preparation, while the following two publications were issued by the International Scientific and Professional Advisory Council in 2001: *The Rule of Law in the Global Village: Issues of Sovereignty and Universality* and Alex P. Schmid and others, *Countering Terrorism through International Cooperation*.

32. The Terrorism Prevention Branch has also made efforts to increase awareness about the scope and nature of international terrorism by undertaking a variety of activities, including the establishment of a roster of experts and a list of web sites related to terrorism.

33. The Terrorism Prevention Branch maintains and updates two databases on terrorism: one dealing with terrorist incidents and the other with counter-terrorist initiatives and developments of a unilateral, bilateral and multilateral nature. Those databases, initiated in September 1999 and February 2000, respectively, contain more than 2,000 events in one case and more than 1,000 items in the other. Summaries of the incidents and counter-terrorist initiatives and developments are made available, on a weekly basis, to the Executive Committee on Peace and Security and to the Counter-Terrorism Committee, both in New York. The incident database also served in the creation of a new aggregate terrorism index, which makes possible both longitudinal and cross-national analysis. In addition, the Terrorism Prevention Branch initiated

work on a database on best practices and lessons learned on the basis of a classification/typology of counter-terrorist measures prepared by the Branch.

34. In general, the Terrorism Prevention Branch serves as a clearing house of information by collecting, processing and disseminating information. That is done on the basis of open source materials and information obtained from Member States and international organizations. On the basis of such information, research was conducted on the 100 most active terrorist and extremist groups, while in-depth studies of terrorist groups have also been commissioned. A special study on the links between terrorism and organized crime is also being concluded.

35. For a conference jointly co-sponsored by the Office for Drug Control and Crime Prevention and the Organization for Security and Cooperation in Europe, a programme of action for the International Conference on Enhancing Security and Stability in Central Asia: Strengthening Comprehensive Efforts to Counter Terrorism, held in Bishkek on 13 and 14 December 2001, was developed. As one of the measures to combat and prevent terrorism, the programme of action envisages work towards rapid ratification and implementation of relevant international instruments. In addition to the programme of action, the States participating in the conference adopted a declaration, in which, inter alia, they emphasized that terrorism was a complex challenge owing to its links with transnational organized crime, drug trafficking, trafficking in human beings, money-laundering, arms trafficking, computer and other high-technology crimes, as well as other threats, including the proliferation of weapons of mass destruction.

36. In its resolution 56/261 of 31 January 2002, the General Assembly adopted the plans of action for the implementation of the Vienna Declaration, which include a plan of action against terrorism, which mandated the Centre for International Crime Prevention to take steps to raise awareness of the relevant international instruments, encourage States to sign and ratify such instruments and, where feasible, provide assistance in implementing such instruments to States upon request. With this in mind, a project is being designed to promote the signature, ratification and implementation of and accession to the 12 universal legal instruments on terrorism, especially the International Convention for the Suppression of the Financing of Terrorism, the International Convention against the Taking of Hostages (General Assembly resolution 34/146, annex) and the International Convention for the Suppression of Terrorist Bombings (Assembly resolution 52/164, annex). The project is intended to raise awareness at the level of policy makers, to prepare model laws, to promote institution-building and legislative assistance, as well as to strengthen existing arrangements in the field of extradition and mutual legal assistance.

37. Pending consideration by the General Assembly of the proposals to be made by the Secretary-General in response to paragraph 103 of its resolution 56/253 of 24 December 2001, and pursuant to paragraph 19 of its resolution 56/123 of 19 December 2001, the focus of the work of the Centre for International Crime Prevention will be on the following main priorities, taking fully into account the Assembly and Security Council resolutions on terrorism, the plan of action against terrorism and recommendations made at the intersessional meeting of the Commission on Crime Prevention and Criminal Justice of 15 November 2001:

(a) Assistance to Member States requesting advice and technical assistance in the ratification and implementation of the universal legal instruments against terrorism and in the implementation of Security Council resolution 1373 (2001) of 28 September 2001;

(b) Coordinating activities with other relevant units of the United Nations International Drug Control Programme and with the Global Programme against Money-Laundering and utilizing their existing expertise, for preventing and combating terrorism;

(c) Coordinating activities with other entities of the United Nations system, such as the Office of Legal Affairs and the Counter-Terrorism Committee;

(d) Creating synergies with other international organizations such as the Organization for Security and Cooperation in Europe.

38. In that connection the Commission on Crime Prevention and Criminal Justice may wish to consider the above-mentioned priority areas with a view to providing further guidance for the future course of action, including strengthening of the resources available.

A. Collecting and disseminating information

39. The Centre for International Crime Prevention continued its efforts to reinforce its capacity and performance in the collection, analysis and dissemination of relevant data and information. In June 2001, it published electronically (in screen and print-optimized formats and formats suitable for further analysis) updates of the responses to the Sixth United Nations Survey of Crime Trends and Operations of Criminal Justice Systems, presented by variable and by country (accessible at http://www.odccp.org/crime_cicp_survey_sixth.html). The updated version raised the number of Governments providing official data on police, prosecution, courts, prisons and resource allocation from 75 to 83.

40. The periodic surveys are the primary vehicle used by the Centre for the collection of statistics on crime trends and criminal justice at the national level.

41. The Seventh United Nations Survey of Crime Trends and Operations of Criminal Justice Systems, covering the years 1998-2000, is currently under way. As at December 2001, 65 Governments had submitted data.

42. As mentioned above, a database was designed to monitor terrorism and another focuses on countermeasures. A third database was developed to record flows of global trafficking in human beings.

43. The Centre for International Crime Prevention continued to expand its efforts to disseminate information by electronic means, through its web site at http://www.odccp.org/crime_prevention.html. As an example of that expansion, a new series of publications is now available at http://www.odccp.org/corruption.html#publications. The web site has also been equipped with state-of-the-art multi-media offerings, such as video clips on trafficking (http://multimedia.undcp.org/ramgen/psa_humantrafficking-60-768x576.rm).

44. In 2001 the Centre launched a peer-reviewed academic journal on global crime and criminal justice issues, called *Forum on Crime and Society*, published twice a year in the six official languages of the United Nations. The journal has been well received and has been, for example, widely distributed in the Arab world with the help of the Naif Arab Academy for Security Sciences. The first issue contained articles based on contributions to the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders. The second issue, dated December 2001, contained articles on transnational organized crime. The forthcoming issue (vol. 2, No. 1, March 2002) will be devoted to the theme of corruption.

B. Global crime trends

45. Research in this area focuses on aspects of public sector corruption and its links with organized crime in its different forms. The Centre collects and analyses data and continually monitors the status of trends in crime, terrorism and corruption worldwide and collaborates with research and scientific bodies in that regard. It conducts a global crime and corruption trend analyses study for which a report with preliminary results is envisaged in 2002.

VI. Technical cooperation activities

A. Strategic orientation

46. In 2001, the Centre for International Crime Prevention supported projects with a total budget value of approximately $6 million (see table 1). Considerable progress was made in initiating and advancing the implementation of projects at the regional and country levels, especially within the framework of the global programmes. A detailed description of the activities implemented in 2001 under the programmes is provided below.

47. It should be noted that the Centre expanded its technical cooperation programme from 5 projects in 1998 to 32 in 2001 (ongoing and planned). The Centre concentrated its technical cooperation activities in areas that complement its legal functions of promoting international legal instruments against transnational organized crime (including smuggling of migrants, trafficking in persons and trafficking in firearms) and corruption. In March 1999 the Centre launched three global programmes, against transnational organized crime, trafficking in human beings and corruption, respectively. Those global programmes were revised in the second half of 2001 to incorporate lessons learned in the previous three years.

Table 1
Technical cooperation projects funded by the Centre for International Crime Prevention, 2001

Country or area	*Project*	*Total budget*	*Role of the Centre*
Global	Pre-ratification assistance to the signatories of the United Nations Convention on Transnational Organized Crime	1 836 250	Funding and executing agency
Global	Database on flows of trafficking in human beings	146 900	Funding and executing agency
Brazil	Measures to combat trafficking in human beings	400 000	Funding and executing agency
Colombia	Preparatory assistance: building an integrity system to prevent corruption	61 698	Funding and executing agency
Hungary	Assessment of corruption in Hungary	175 263	Funding and executing agency
Lebanon	Support for the national anti-corruption strategy	305 551	Funding and executing agency
	Strengthening the legislative and institutional capacity for juvenile justice	754 049	Funding and executing agency
Nigeria	Strengthening judicial integrity and capacity	293 968	Funding and executing agency
Philippines	Coalitions against trafficking in human beings in the Philippines	269 312	Funding and executing agency
South Africa	Mechanisms to counteract domestic violence	660 000	Funding and associate agency
	Measures to counteract organized crime	414 000	Funding and cooperating agency
	Donor coordination in the field of criminal justice	40 000	Funding and executing agency
	Support for the National Anti-Corruption Programme	359 340	Funding and executing agency
The former Yugoslav Republic of Macedonia	Preventing and controlling economic and financial crime	330 000	Funding and executing agency
West Africa Benin, Nigeria, Togo	Preparatory assistance: development of a project against trafficking in human beings	35 000	Funding and executing agency
Côte d'Ivoire, Ghana, Nigeria and Senegal	Assessment of transnational organized crime	68 478	Funding and executing agency
Central Asia	Assessment of transnational organized crime	64 636	Funding and executing agency
Eastern Europe (Czech Republic and Poland)	Criminal justice responses to trafficking in human beings	519 348	Funding and executing agency
Total		**5 715 567**	

48. The selection of substantive priority areas is in line with the Centre's mandates and comparative advantages. A balanced approach has been adopted in that selection, pursuant to the deliberations of the Commission on Crime Prevention and Criminal Justice at its tenth session and the recommendations of the Committee for Programme and Coordination at its forty-sixth session.[3] Accordingly, in accordance with the overall objective of the United Nations Crime Prevention and Criminal Justice Programme and the strategies for achieving it, as established by the medium-term plan for the period 2002-2005[4] and the proposed programme budget for the biennium 2002-2003 (A/56/6, Sect. 14), the main priorities for its technical cooperation activities are the following:

(a) Fostering international cooperation and strengthening national capacity-building to combat transnational organized crime. For that purpose, technical assistance activities seek to promote ratification and implementation of the United Nations Convention against Transnational Organized Crime and the protocols thereto. They also support fulfilling the Centre's current and anticipated mandates arising from the Convention to assist States parties, including the collection and dissemination of information on trends and proven practices, with priority attention on legal and institutional arrangements to address organized crime and provisions for international cooperation;

(b) Fostering international cooperation and strengthening national capacity-building to combat trafficking in persons, especially women and children. Priority is given to collecting information on global trends and proven practices. Technical assistance modules are being developed for improved criminal justice responses to trafficking, to include establishment or strengthening of specialized police units against human trafficking as well as inter-agency cooperation between law enforcement, prosecutors and civil society actors in order to improve assistance to and protection of victims and witnesses;

(c) Fostering international cooperation and strengthening national capacity-building as regards anti-corruption policies and measures. Technical assistance is provided to countries in the development of evidence-based and comprehensive anti-corruption policies, including the assessment of trends and existing policies. Modules are also being developed to assist countries to strengthen their investigation and prosecution of corruption cases and to enhance judicial integrity. Collection and dissemination of proven practices will continue to be an important element;

(d) Fostering international cooperation and strengthening national capacity-building in other crime and justice areas, such as juvenile justice, victim issues, prison administration, violence against women, restorative justice and social crime prevention, pursuant to the plans of action for the implementation of the Vienna Declaration;

(e) Fostering international cooperation and strengthening, upon request, national capacity-building as regards anti-terrorism policies and measures, pursuant to the plan of action against terrorism, for the implementation of the Vienna Declaration, keeping in mind relevant General Assembly and Security Council resolutions. Priority will be given to providing technical assistance for ratification and implementation of and accession to the global legal instruments related to terrorism. The aim is awareness-raising at the level of policy makers, preparation of model laws, institution-building and legislative assistance, as well as strengthening existing arrangements in the field of extradition and mutual legal assistance.

49. Synergy between the Centre for International Crime Prevention and the United Nations International Drug Control Programme, the two components of the Office for Drug Control and Crime Prevention, continued to be strengthened in 2001, through, inter alia, joint assessment missions and joint programming in selected countries.

50. The Centre continued to turn to the United Nations Office for Project Services for the provision of administrative, financial and other input to support the implementation of a number of projects, thus avoiding the need to set up its own costly administrative project infrastructure.

51. The capacity of the Centre to deliver technical assistance has been enhanced at the operational level through its increased representation at the country and subregional levels, through the conversion of selected offices of the United Nations International Drug Control Programme into offices of the Office for Drug Control and Crime Prevention, pursuant to Economic and Social Council resolution 1998/24 of 28 July 1998. The Centre is currently represented at five regional offices—South-East Asia, Southern Africa, North

Africa and the Middle East, West Africa and Central Asia—and three national field offices—Brazil, Colombia and Nigeria.

B. Mobilization of resources

52. The contributions and pledges provided to the United Nations Crime Prevention and Criminal Justice Fund during 2001 (see table 2) amounted to $4,436,637, representing an increase of 49 per cent in contributions in comparison with the previous year. The increase was mainly attributable to a considerable increment in earmarked contributions.

53. The Centre's goal in 2001 was to broaden its donor base and to encourage its current donors to increase their voluntary contributions. An informal donors' meeting was organized on 26 April 2001 and a second is planned for the first quarter of 2002. Since February 2001, and following recommendations of the Office for Internal Oversight Services, the Centre assigned a staff member to work full-time on fund-raising. In 2002, while pursuing the broadening of the donor base, the Centre will aim at increasing the volume of general-purpose contributions, currently corresponding to 10 per cent of the Fund. That increment is of particular importance, if the Centre is to carry out the increased number of mandates and implement the projects recently launched.

54. The figures shown in the figure reflect the pattern of contributions over the past five years and the distribution between general-purpose and specific-purpose contributions. The bulk of the specific-purpose contributions went to the three global programmes and for supporting the pre-ratification assistance activities of the Centre aimed at speeding up the entry into force of the United Nations Convention against Transnational Organized Crime.

C. Global programme against corruption

55. There is consensus that corruption is one of the main obstacles to peace, stability, sustainable development, democracy and human rights across the globe. It endangers the security of societies, the safety of citizens and the values of democracy and morality, jeopardizing social, economic and political development. Reducing corruption requires a broad range of long-term and sustainable efforts and reform. In partnership, the Government, the private sector and the public need to maintain and promote standards of performance that exude decency, transparency, accountability and ethical practice, in line with international standards.

56. The activities of the global programme against corruption focused on:

(a) Providing policy and operational guidance to help Governments upgrade the capacity and performance of their criminal justice systems and personnel to address corruption;

(b) Promoting integrity, efficiency, effectiveness of criminal justice systems with emphasis on the judiciary;

(c) Designing, implementing, monitoring, advising on anti-corruption strategies;

(d) Implementing national integrity action plans;

(e) Conducting comprehensive assessments of corruption and countermeasures (types, level, costs, risks, impact and remedies).

57. A web page is continuously updated as a part of the Programme's web site (www.ODCCP.org/corruption.html).

58. The United Nations Manual on Anti-Corruption Policy is intended to convey a basic understanding of the phenomenon of corruption, its dynamics and impact and reflects the integrated approach of the United Nations to its control.

59. Technical cooperation activities of the global programme against corruption take a modular approach that draws from a broad set of anti-corruption measures or "tools". An extensive collection of tools has been assembled into a "tool kit", which will be updated regularly and refined, based on a systematic, cyclical action-learning process of anti-corruption research. The tool kit is available in hard copy and the tools are regularly refined and expanded on the web site (see para. 57).

Table 2

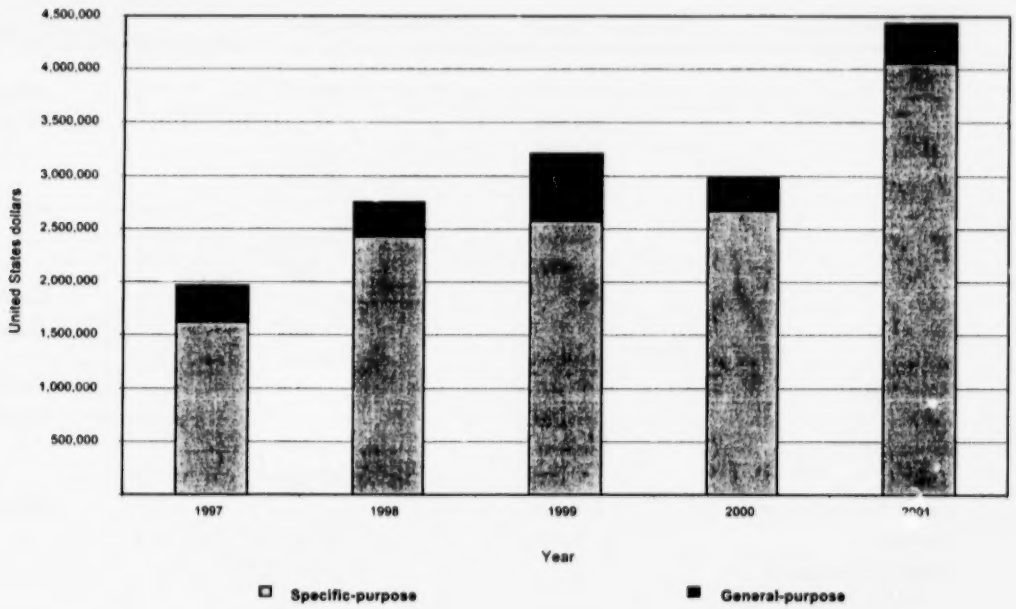
Contributions and pledges to the United Nations Crime Prevention and Criminal Justice Fund, 2001

(*United States dollars*)

Country or organization	*Total amount pledged*	*General-purpose funds*	*Special- purpose funds*
Austria	62 195	32 128[a]	30 067[a]
Brazil	300 000	-	300 000[b]
Canada	116 884	-	116 884[c]
Chile	10 000	10 000[a]	-
France	400 479	-	400 479[c]
Greece	30 000	30 000[a]	-
India	3 000	3 000[b]	-
Italy	457 187	187 441[a]	269 746[c]
Japan	200 000	50 000[b]	150 000[b]
Morocco	2 000	2 000[b]	-
Netherlands	399 699	-	399 699[a]
Norway	310 084	-	310 084[c]
Republic of Korea	15 000	15 000[c]	-
Turkey	50 000	50 000[b]	-
United States of America	1 800 000	-	1 800 000[b]
Venezuela	4 084	4 084[b]	-
United States Agency for International Development	276 025	-	276 025[b]
Total	**4 436 637**	**383 653**	**4 052 984**

[a] Not paid.
[b] Paid.
[c] Paid in part.

Figure
Contributions and pledges to the United Nations Crime Prevention and Criminal Justice Fund, 1997-2001



60. Within the global programme against corruption are partnerships forged and enhanced and the requisite collaboration is undertaken to plan and implement the programme and to improve coordination of activities within the United Nations system targeting corruption.

1. Country projects

61. The global programme against corruption pays special attention in many of its country projects to the promotion of judicial integrity. The objectives of those efforts are to formulate the concept of judicial integrity and to devise the methodology for introducing that concept without compromising the principle of judicial independence; to facilitate a safe and productive learning environment for the judiciary; and to raise awareness about the importance of judicial integrity both within the judiciary and among its client groups.

62. Responding to government requests, the global programme undertakes various types of field-level activity, maximizing impact and outcome. Through joint seminars and other field-level activities the Programme provides knowledge and receives feedback by which to refine technical advisory services. The number of government requests for technical advisory services is steadily increasing. Projects are under way in Benin, Colombia, Hungary, Lebanon, Nigeria and South Africa and are envisaged in Indonesia the Islamic Republic of Iran, Romania, Sri Lanka and Uganda. It is expected that project activities will involve 12 countries by 2003. Funding for such activities has been received from France, the Netherlands, Norway and the United States.

Colombia

63. A preparatory six-month assistance project, developed in close collaboration with key stakeholders in Colombia during Centre for International Crime Prevention missions to Bogotá in April and June 2001, was launched in November 2001. The aim of the project is to strengthen the rule of law at the sub-national level with strong implications and impact at

the national level. Its objective is to assist the Government of Colombia in increasing the capacity and integrity of local government institutions, in particular through social control mechanisms applied to local governments, in strengthening prosecutorial capacity and in implementing result-based management. In the initial phase, the Centre conducted an institutional assessment of three pilot local government jurisdictions in order to implement anti-corruption policy reforms. The pilot project covered the executive, legislative and prosecutorial domains of the three local governments. A special seminar for national prosecutors, organized jointly with the General Prosecutor's Office and the Embassy of France in Colombia, was conducted to develop a matrix of action and future implementation of institutional reforms. Finally a seminar for all Colombian public officials working at the presidential programme against corruption was carried out in order to enhance their capacity to apply the Centre for International Crime Prevention Anti-Corruption Tool Kit to their local institutional context and develop a regional tool kit with the active participation of Colombian public officials. A full project document for a two-year period is being finalized.

Hungary

64. Within the context of the pilot project, an assessment was carried out by the United Nations Interregional Crime and Justice Research Institute (UNICRI). The Government of Hungary issued a decree in March 2001 outlining an anti-corruption strategy and the establishment of a National Integrity Steering Committee to advise on an anti-corruption action plan. The Steering Committee is expected to hold its first meeting during the second quarter of 2002 to plan a two-day national integrity meeting with 150 participants representing all key stakeholders. The meeting is expected to endorse an integrity strategy and an anti-corruption action plan. A meeting to discuss best practice will also be organized during 2002. The Government has requested the Centre for International Crime Prevention to design a follow-up project and the intention is to use the action plan recommended by the national integrity meeting as the basis for the next phase of the project.

Lebanon

65. Since the start of the project in 1999, the Government of Lebanon has: (a) established the National Integrity Steering Committee as the coordinating anti-corruption institution; (b) conducted a public awareness campaign; (c) conducted an assessment of corruption in the country; and (d) announced as a next step the development of a national integrity strategy. In January 2001, the National Integrity Steering Committee, with the support of the Centre for International Crime Prevention, organized a broad-based expert meeting to present the findings of the country assessment. Those findings received much attention in the media and a final report is being prepared. Further activities will be supported in consultation with the Government.

Nigeria

66. The project on strengthening judicial integrity and capacity, signed by the Executive Director of the Office for Drug Control and Crime Prevention and the Attorney-General of Nigeria in September 2001, is aimed at strengthening the rule of law, both at the national and the subnational levels. The objective of the project is to assist the Government of Nigeria in increasing the capacity and integrity of the justice system, in particular that of the judiciary. By doing so, the project will also contribute to the development of the prerequisites for the successful recovery of assets that have been diverted under past military regimes and the effective prevention of transfers of funds of illicit origin. The Centre organized a first federal integrity meeting for chief justices, during which three pilot state and pilot courts were identified (Lagos, Borneo and Delta) and a methodology on how to assess types, levels, causes and cost of and remedies for corruption was endorsed for testing in the pilot states. Subsequently, a joint global programme against corruption/Transparency International mission went to Nigeria to launch the three state pilot projects and selected an independent research institute to assess the integrity, effectiveness and efficiency of the judiciary within the three pilot states.

South Africa

67. A project document entitled "Support to the national anti-corruption programme" was finalized by the Centre for International Crime Prevention and

reviewed by all key stakeholders in South Africa. The project, signed in early March 2001, is designed to assist the Government of South Africa in its efforts to prevent, detect and fight corruption and to promote integrity, transparency, accountability and the rule of law. During the first half of 2001, a review was conducted of all existing anti-corruption assessments and reports, preparations were made to carry out a comprehensive corruption assessment and the Government was finalizing the establishment of an independent, broad-based national integrity forum. A Centre for International Crime Prevention mission went to Pretoria to launch the other project activities, including: (a) preparation of a national anti-corruption strategy and action plan; (b) drafting of anti-corruption legislation; (c) enhancement of the capacity for prevention, investigation and prosecution of corruption in selected departments of the public sector; (d) assisting specialized investigating and prosecutorial units within the criminal justice system; and (e) assisting in the development and implementation of anti-corruption initiatives in two selected provinces of South Africa.

D. Global programme against trafficking in human beings

68. The Centre for International Crime Prevention expanded its technical assistance activities under the global programme against trafficking in human beings, carried out in cooperation with UNICRI. The main objectives of the programme are: (a) to examine the involvement of organized criminal groups and the routes and methods used by traffickers in human beings; (b) to strengthen criminal justice responses; (c) to improve cooperation among law enforcement agencies and other relevant institutions; and (d) to improve protection and support systems for victims and witnesses. Within the United Nations context, the programme focuses, from a global perspective, on the criminal justice component of trafficking and on crime prevention, complementing the work of other entities of the United Nations system that are concerned with other aspects of human trafficking. The programme promotes a comprehensive and multidisciplinary approach to preventing and combating human trafficking. Given the complex nature of trafficking in persons, securing the expertise of other organizations and ensuring complementarity of action is essential.

69. The adoption of the United Nations Convention against Transnational Organized Crime and the protocols addressing trafficking in persons and the smuggling of migrants by the General Assembly in November 2000 acted as a catalyst to the work of the programme. The definitions set forth in those instruments have been accepted broadly by international organizations that are concerned with trafficking issues. In several countries, the provisions of the Convention and those protocols have already served as the reference guide for law reform and have offered a framework for the formulation of regional and national anti-trafficking action plans.

70. At present, technical assistance projects are being carried out or developed in countries in Asia, Africa, Europe and Latin America and will concern different aspects of trafficking.

1. Research and assessment

71. UNICRI is currently conducting research and assessment activities targeting the practices and the role of organized criminal groups in trafficking in human beings. It has developed a number of research tools aimed at generating data on recruitment practices, costs and debts, travel routes, exploitation, criminal organizations and connivance and corruption. Instruments have also been developed for use in interviewing victims, government officials and non-governmental organizations and a further instrument assists researchers in analysing government case files.

72. Partnerships are sought with the network of institutes and organizations cooperating with the Centre for International Crime Prevention and UNICRI, in particular the Australian Institute of Criminology and the United Nations University, but also with government agencies, local research institutions and individual scholars. The field office of the Office for Drug Control and Crime Prevention in Tashkent supported implementation of the project of the International Organization for Migration involving trafficking in women and children from Tajikistan.

73. Analysis of selected national laws prohibiting trafficking in children in the light of the Trafficking in Persons Protocol is being carried out by the Centre.

2. Political events

74. Major achievements in 2001 include the formulation of a political declaration and an action plan against trafficking in human beings for the member States of the Economic Community of West African States (ECOWAS), agreed upon by a meeting of experts from West African countries organized in Accra by ECOWAS in cooperation with the Centre for International Crime Prevention. The action plan was submitted through the ECOWAS ministerial meeting and subsequently adopted by the annual summit of ECOWAS heads of State in December 2001. The plan of action commits ECOWAS member States to urgent action against trafficking in human beings in 2002-2003 and sets achievable goals and objectives. The action plan calls for States to ratify and fully implement international instruments of ECOWAS and the United Nations. It commits States to adopt laws criminalizing trafficking in human beings and to build the necessary administrative structures and calls for new special police units to combat trafficking in human beings and training for police, customs and immigration officials, prosecutors and judges. Working in cooperation with non-governmental organizations and other representatives of civil society, ECOWAS member States will take responsibility for protection of trafficking victims. Through their task force or agency on trafficking in persons, States intend to coordinate and monitor the ongoing implementation of the plan of action at the national level and to report on a biannual basis to the ECOWAS secretariat.

75. In October 2001, the Government of the Philippines launched a strategic action plan for a national coalition against trafficking in human beings. The formulation of a national anti-trafficking strategy was a major achievement of the work of the Inter-Agency Executive Committee established as part of a pilot demonstration project on coalitions against trafficking in human beings in the Philippines under the global programme against trafficking in human beings. Main features of the national action plan include early ratification of the United Nations Convention against Transnational Organized Crime and the Trafficking in Persons Protocol, a special bill against trafficking in persons; strengthened investigation and prosecution of trafficking cases through specialized databases, specialized law enforcement units and improved police-prosecutor cooperation; training for law enforcers, prosecutors, social workers and frontline officers as well as staff of embassies and consulates; improved support for victims and the protection of witnesses in cases of trafficking in persons; comprehensive public awareness campaigns on the subject; continued inter-agency coordination; and strengthened international cooperation, including the conclusion of bilateral and multilateral agreements.

3. Country projects

Brazil

76. A project on assessing the routes and modalities used by organized criminal groups, improving law enforcement responses and victim support, has been developed at the request of the Government of Brazil, in cooperation with the country office of the Office for Drug Control and Crime Prevention. It was signed by the Government in December 2001 and activities will begin in early 2002.

Czech Republic and Poland

77. A project concerning trafficking to and from Eastern Europe has started in the Czech Republic and Poland to consider the need for law reform, strengthened investigation and prosecution of trafficking cases and assistance to victims at the local level. In the Czech Republic, the structure for a database to strengthen investigation of trafficking cases has already been set up. Activities are being carried out in close cooperation with relevant non-governmental organizations.

Philippines

78. The pilot project in the Philippines included awareness-raising and training sessions for law enforcement officers of different regions of the country and workshops on improved police-prosecutor cooperation. It offered support in the development of a trafficking database and resulted in the creation of an inventory of relevant legislation, the formulation of guidelines for investigation and the testing of a new training curriculum for consular staff. While the assessment component is still ongoing, UNICRI, in cooperation with local experts, has carried out a study examining the experiences of victims and non-governmental organizations and a report was prepared by the Australian Institute of Criminology on trafficking in persons and smuggling of migrants

between the Philippines and Australia. UNICRI has conducted research into and produced a report on the involvement of organized criminal networks in the smuggling of Filipinos into Italy. Research is ongoing into the trafficking of Filipinos to Japan and Malaysia. Assessments were carried out in cooperation with the regional centre for the United Nations International Drug Control Programme in Bangkok and the Australian Institute of Criminology. Follow-up activities are under consideration, including developing specific measures for victim and witness support.

4. Future projects

79. A project on the assessment of trafficking flows and countermeasures, including training components for local professionals and inter-country cooperation in Benin, Nigeria and Togo has been prepared on the basis of assessments carried out in cooperation with the ODCCP Regional Office in Dakar and the UNDCP Office in Lagos. The project is expected to be signed shortly. In cooperation with the Governments of Italy and Nigeria, UNICRI has prepared a project proposal addressing trafficking in minors and young women from Nigeria to Italy. The project, including information-gathering and practical assistance to be provided through the active participation of non-governmental organizations, is expected to start soon.

80. A number of additional project proposals have been drawn up and submitted to donor countries and institutions, including for Slovakia and Viet Nam.

81. In addition, the global programme has initiated work on a database to include data from multiple sources on global trends, cross-national routes, volume of trafficking in persons and smuggling of migrants, victims and offenders of trafficking and responses of criminal justice systems to such criminal activity.

5. Other developments

82. The global programme maintained a close working relationship with other United Nations entities, intergovernmental and non-governmental organizations, such as the Office of the United Nations High Commissioner for Human Rights, the United Nations Children's Fund, the International Organization for Migration, the International Labour Organization, the International Centre for Migration Policy Development, the International Criminal Police Organization (Interpol), the European Union, the European Council, the Organization for Security and Cooperation in Europe and ECOWAS.

83. The video clip on trafficking in women produced by ODCCP as a public service announcement was first shown during a seminar on human trafficking in Catania in the framework of the High-Level Political Signing Conference in Palermo, Italy, and has been widely distributed free of charge. It raised considerable interest among broadcasting stations worldwide, including in countries where trafficking originates. By the end of 2001, major national and regional television stations and networks from at least 35 countries had shown the video clip, with dubbing in numerous local languages. The clip has also been shown in public locations, for example, on information screens in underground stations and other public places. In view of the strong response received, another public service announcement, focusing on trafficking for slave labour, including of children, has been produced and released.

84. An exhibition on modern slavery, organized by the global programme in cooperation with a French non-government organization, the Committee against Modern Slavery (CCEM), was displayed in the United Nations Office at Vienna from November to December 2001. Around 45 posters by artists from across Europe showed different forms of slavery such as domestic labour, prostitution, child labour and forced marriage, aimed at raising awareness about modern-day slavery and trafficking in human beings.

85. Funding or pledges of assistance for the activities and projects of the global programme against trafficking in human beings have been received from the Governments of Austria, Belgium, Canada, France, the Netherlands, Norway, Portugal and the United States. The Government of Australia has made in-kind contributions.

E. Global programme against organized crime

86. The United Nations Convention against Transnational Organized Crime provides the normative framework and orientation for the global programme. It seeks to facilitate the exchange of information on patterns and trends in transnational organized crime and on successful practices for combating it and to provide technical assistance through advisory services

and field projects. Funding for activities of the programme has been received from France, Italy, the United Kingdom and the United States.

1. Assessment

87. The global programme against organized crime has conducted a pilot study on organized criminal groups in 12 countries and one subregion. Information has been collected on 30 transnational organized criminal groups most active in the countries and the subregion. Information provided by UNICRI about five other countries (Albania, Belarus, Bulgaria, Lithuania and Ukraine) has also been added. The instruments to collect data have been modified in consultation with UNICRI, the Falcone project of the European Union and the European Police Office (Europol). The new instruments will be tested for collecting information on organized criminal groups in two regional projects, in Central Asia and West Africa. In parallel, the global programme is carrying out an assessment of the national legislation on organized crime as well as the organization of police, prosecutors and judicial authorities working to combat organized crime. An analysis of 14 countries has already been undertaken. The comparative analysis will provide an opportunity to study national policies and measures for combating organized crime.

2. Tool kit of best practices

88. With the help of a group of experts, a tool kit of best practices will be developed, which should improve the quality and effectiveness of technical assistance to be delivered by the Centre.

3. Technical cooperation projects

Assessment of transnational organized criminal groups in Central Asia

89. The aim of the project is the establishment of a network of data providers in the field and the collection of relevant information on the most prominent organized criminal groups operating within the region and preparation of the countermeasures adopted by Governments in order to better cope with the phenomenon. The information collated will be compiled and analysed in a report on organized criminal groups in Central Asia.

The former Yugoslav Republic of Macedonia

90. In 1999 a project was launched in the former Yugoslav Republic of Macedonia to tackle economic and financial crime through strengthened legal provisions and the establishment of a specialized police unit. The project is implemented in close collaboration with the Italian Guardia di Finanza. Despite the difficult situation in the country, the project has achieved two of its four objectives. More specifically, the amendments proposed by the Centre for International Crime Prevention to the Constitution, the Criminal Code and Criminal Procedural Code are now before the Parliament for final approval.

Assessment of transnational organized criminal groups in West Africa

91. The project addresses the phenomenon of transnational organized criminal groups active in selected countries of West Africa—Côte d'Ivoire, Ghana, Nigeria and Senegal—and their transnational dimension. The project will provide a systematic collection and analysis of qualitative and quantitative data and information on organized criminal groups operating in the region and a practical strategic analysis leading to the identification of the most appropriate control measures to combat and prevent organized crime.

4. Training of criminal justice practitioners

92. One of the measures to strengthen criminal justice responses is training for law enforcement personnel, including prosecutors, investigating magistrates and customs personnel. The global programme has developed a multimedia seminar on fighting organized crime following the provisions of the Palermo Convention that has been successfully tested in four countries, Colombia, Croatia, Peru and Slovakia. The seminar examines best practices to fight organized crime and corruption in relation to police and prosecutors' investigations, international cooperation, collaboration with and protection of witnesses, prevention of organized crime and anti-organized crime legislation. Participants are requested at the end of the seminar to carry out a needs assessment to strengthen their countries' anti-mafia policies and measures. The pilot seminars were favourably evaluated by participants and will be replicated in

several other countries, including in Central America (Guatemala).

5. Prevention of organized crime

93. As stated in article 31 of the United Nations Convention against Transnational Organized Crime, prevention activities are among the core activities Members States should undertake in order to fight against transnational organized crime. A project proposal has been prepared for the replication of the Sicilian renaissance strategy in Mexico. The project would provide advice on how to mobilize civil society against local organized criminal groups to complement the adoption of domestic laws and the reinforcement of international cooperation in the fight against organized crime.

F. Projects on crime prevention and criminal justice reform

94. The Centre continued to implement the project to strengthen the institutional capacity for juvenile justice in Lebanon. The project supported the reform of legislation on juveniles and the establishment of systems for the monitoring, follow-up and reintegration of juveniles upon release. A follow-up project was designed by the Centre and approved by the Government, and subject to the availability of donor contributions, will be launched in April 2002. It aims at improving services and detention conditions for female juveniles in Lebanon.

95. A juvenile justice sector project proposal for Egypt has also been designed. Subject to donor interest, the project will be implemented in 2002.

96. In crime prevention, the Centre continued to provide technical support for the implementation of a project aimed at reducing violence against women in South Africa.

VII. Coordination of activities with the United Nations Crime Prevention and Criminal Justice Programme network

97. During the tenth session of the Commission on Crime Prevention and Criminal Justice, the United Nations Crime Prevention and Criminal Justice Programme network took the lead in organizing, within the support of the Centre for International Crime Prevention, the Workshop on Prison Populations: Facts, Trends and Solutions, held in Vienna on 10 May 2001. The Workshop recommended that similar technical and thematic workshops be organized to take place during the sessions of the Commission as part of its regular programme of work.

98. Specific examples of cooperation between the Centre and the institutes of the Programme network during the period under review are as follows: (a) UNICRI has been fully involved as a major partner in the implementation of the global programmes; (b) the Australian Institute of Criminology cooperated in the implementation of a Centre/UNICRI project on trafficking in human beings in the Philippines through the provision of the services of an expert; and (c) the European Institute for Crime Prevention and Control released a statistician to the Centre to assist with the development and analysis of survey materials and databases.

99. At the tenth session of the Commission on Crime Prevention and Criminal Justice, the Centre for International Crime Prevention convened a meeting with the directors of the institutes of the Programme network to review current modalities of collaboration and discuss future joint ventures, including those related to the promotion and implementation of the Vienna Declaration on Crime and Justice and its action plans, once the latter had been approved by the Commission and adopted by the General Assembly.

VIII. Strategic management by the Commission of the United Nations Crime Prevention and Criminal Justice Programme

100. At the ninth session of the Commission, the need to maintain the Commission's initiative in providing strategic direction of the United Nations Crime Prevention and Criminal Justice Programme was stressed on the basis of a review of efforts undertaken. In keeping with the tradition of continuing intersessional activities with the full involvement of the members of the bureau and the regional groups, the bureau met on 13 July 2001 to discuss the issue of

preparations for the Intergovernmental Open-Ended Expert Group Meeting on Corruption. The bureau also discussed the plans of action for the implementation of the Vienna Declaration for consideration by the intersessional meeting.

101. On 28 August 2001, the extended bureau met to discuss the outcome of the informal consultations on terrorism led by Tajeddine Baddou, Acting Chairman of the Commission, as well as preparation for the first session of the Ad Hoc Committee on the Negotiation of a Convention against Corruption. At that meeting, the role of the extended bureau was also discussed. Its role was considered important in ensuring the participation of the regional groups in the discussions relating to the intersessional activities of the Commission.

102. On 6 and 28 September 2001, the extended bureau met to follow up on the ongoing consultations towards the finalization of the draft plans of action, together with the draft resolution related thereto. The extended bureau also discussed the recent developments in New York related to terrorism and agreed that an intersessional meeting should be convened in order to brief Governments on recent actions on terrorism and to lay the foundation for future work of the Commission in that field.

103. In preparation for the eleventh session of the Commission, the extended bureau held a meeting on 29 December 2001, focusing on the organization of the thematic discussion on item 3 of the provisional agenda of the Commission, entitled "Reform of the criminal justice system: achieving effectiveness and equity", as well as the implementation of the plan of action against terrorism. At that meeting, the working method of the Commission regarding intersessional meetings was discussed and the extended bureau agreed that, in order to ensure transparency, the Secretariat should circulate the outcome of the meetings of the extended bureau, which would be available in English only, given their informal nature, with the principal objective of ensuring a free flow of information on issues related to the work of the Commission.

104. The fourth intersessional meeting of the Commission was held from 3 to 5 September 2001 in preparation for the resumed tenth session of the Commission, which was held on 6 and 7 September 2001. The meeting finalized the plans of action for the implementation of the Vienna Declaration.

105. The fifth intersessional meeting was held on 15 November 2001. The objective of the meeting was to consider the implementation of the plan of action against terrorism; to discuss the role of the Commission and that of the Centre for International Crime Prevention in connection with combating terrorism; and to consider the implications of recent resolutions adopted by the General Assembly and the Security Council.

106. The sixth intersessional meeting was held on 14 January 2002 to discuss the revised agenda and proposed timetable for the eleventh session of the Commission, as well as to finalize the substantive and organizational arrangements for the preparation of the thematic discussion, following past practice at previous sessions of the Commission.

IX. Programme questions

107. In its resolution 56/254 A of 24 December 2001, the General Assembly approved the programme budget for the biennium 2002-2003, which includes the programme of work for programme 12 (Crime prevention and criminal justice). The programme of work for the biennium 2002-2003 provides for a modest increase in the resources allocated to programme 12, mainly to enable the implementation of new mandates relating to the United Nations Convention against Transnational Organized Crime and the protocols thereto. The increase includes the establishment of five new posts, three at the Professional level and two at the General Service level, accompanied by a reduction in resources for general temporary assistance.

108. Proposals for revisions to the medium-term plan for the period 2002-2005 are to be submitted to the General Assembly at its fifty-seventh session. The Assembly has stressed the importance of consultations with and contributions for the respective sectoral bodies in reviewing and improving the quality of the medium-term plan and its revisions. The proposed revisions to programme 12 (E/CN.15/2002/15) will be before the Commission for its review. The purpose of the proposed revisions is to incorporate the programme implications of the resolutions and decisions adopted

by intergovernmental organs and international conferences since the adoption of the medium-term plan. The views of the Commission on the proposed changes will be transmitted to the Committee on Programme and Coordination at the time of its review of the Secretary-General's proposed revisions to the plan.

109. The Office for Internal Oversight Services carried out a triennial review of the implementation of the recommendations made by the Committee for Programme Coordination at its thirty-eighth session on the evaluation of the United Nations Crime Prevention and Criminal Justice Programme. The report on the triennial review (E/AC.5/2001/5) was considered by the Committee at its forty-first session. In February 2001, the Office carried out an inspection of the programme management and administrative practices in the Office for Drug Control and Crime Prevention. The report on the inspection is contained in document A/56/83.

X. The way ahead

110. Over the past years the Centre for International Crime Prevention has expanded in many respects. It has at the same time transformed itself into a centre of expertise, specializing in global crime and criminal justice issues. Its normative functions have broadened from supporting the development and promotion of standards and norms to also supporting the negotiation and follow-up of legally binding international instruments. The new legal instruments will also create further mandates and tasks for the Centre in policy analysis and technical assistance. As explained above, political developments have resulted in an increased and immediate demand for some of its core activities. For a full exploitation of the Centre's potential, significant improvements in both regular and extrabudgetary resources are imperative. For its part, the Centre will seek to improve its performance through further integration of functions and greater synergy with the work of relevant units of UNDCP. It will also increasingly seek the cooperation with other entities of the United Nations system, as well as with the institutes of the United Nations Crime Prevention and Criminal Justice Programme network.

Notes

[1] *Official Records of the Economic and Social Council, 2001, Supplement No. 10* (E/2001/30/Rev.1), part two, chap. I, sect. A, draft resolution I.

[2] Ibid., draft resolution II.

[3] *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 16* (A/56/16).

[4] Ibid., *Fifty-fifth Session, Supplement No. 6* (A/55/6/Rev.1).

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Eleventh session
Vienna, 16-25 April 2002
Agenda item 6
Work of the Centre for International Crime Prevention

Work of the Centre for International Crime Prevention

Report of the Executive Director

Corrigendum

1. **Page 2, contents**

   (a) The paragraph numbers for section V, entitled "Prevention of terrorism", *should read* 31-38

   (b) Between section V, entitled "Prevention of terrorism", and subsection A, entitled "Collecting and disseminating information", *insert*

   VI. Other Programme matters 39-45 9

   and renumber the remaining section titles accordingly.

2. **Page 9**

   Before subsection A, entitled "Collecting and disseminating information", insert a new section heading *reading*

   VI. Other Programme matters

   and renumber the remaining section headings accordingly.

3. **Page 12, paragraph 52, first sentence**

   For $4,436,637 *read* $4,446,637

V.02-53471 (E) 170402 170402

4. **Page 13, table 2**

(a) The entry for Austria *should read*

62 195	62 195[a]	-

(b) The entry for the Netherlands *should read*

399 699	-	399 699[c]

(c) The entry for the Republic of Korea *should read*

25 000	25 000[a]	-

(d) The ent. for the United States of America *should read*

2 076 025	-	2 076 025[b]

(e) Delete the entry for the United States Agency for International Development

(f) The entry for the total *should read*

4 446 637	423 720	4 022 917

(g) Replace footnotes a and b with the following:

[a]Paid.

[b]Not paid.

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Items 3 and 4 of the provisional agenda*
Thematic discussion on reform of the criminal justice system: achieving effectiveness and equity
United Nations standards and norms in crime prevention and criminal justice

Reform of the criminal justice system: achieving effectiveness and equity

Use and application of United Nations standards and norms, especially concerning juvenile justice and penal reform

Report of the Secretary-General**

* E/CN.15/2002/1.

** The submission of the report was delayed due to the time required to receive and analyse all inputs from various United Nations entities and other organizations.

V.02-51611 (E) 220302 250302

Summary

The present report of the Secretary-General was prepared for submission to the Commission on Crime Prevention and Criminal Justice at its eleventh session in response to various General Assembly and Economic and Social Council resolutions. It provides information on progress made in the use, application and further development of United Nations standards and norms in the field of crime prevention and criminal justice, as an important tool for the reform of criminal justice systems. The report includes new data on developments in penal reform and juvenile justice, thus providing an input to agenda item 3 entitled "Thematic discussion on reform of the criminal justice system: achieving effectiveness and equity" as well as to agenda item 4 entitled "United Nations standards and norms in crime prevention and criminal justice". As such, it should be read in conjunction with other relevant reports that are before the Commission on restorative justice (E/CN.15/2002/5 and Corr.1 and Add.1) on effective community-based crime prevention (E/CN.15/2002/4) as well as on the implementation of the United Nations Code of Conduct for Public Officials (E/CN.15/2002/14), the United Nations Declaration against Corruption and Bribery in International Commercial Transactions (E/CN.15/2002/6) and the United Nations Declaration on Crime and Public Security (E/CN.15/2002/11).

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I. Introduction

1. The present report has been prepared in response to Economic and Social Council resolutions 1992/22, section VII, of 30 July 1992, 1993/34, section III, of 27 July 1993, 1997/32 of 21 July 1997, and 1998/21 of 28 July 1998, concerning United Nations standards and norms in crime prevention and criminal justice, and in accordance with General Assembly resolutions 52/124 of 12 December 1997, 54/163 of 17 December 1999 and 56/161 of 19 December 2001 on human rights in the administration of justice, as well as Economic and Social Council resolutions 1997/30 of 21 July 1997 and 1999/28 of 28 July 1999 on the administration of juvenile justice, 1998/23 of 28 July 1998 on the reduction of prison overcrowding and alternative sentencing, 1999/26 of 28 July 1999 and 2000/14 of 27 July 2000 on basic principles on the use of restorative justice programmes, and 1999/27 of 28 July 1999 on penal reform, and in response to Commission on Crime Prevention and Criminal Justice resolution 9/1 concerning the thematic debate at the eleventh session and the recommendation of its tenth session.

2. The development and practical application of existing United Nations standards and norms has been of great concern to the Commission from the outset of its work, as reflected in Economic and Social Council resolutions 1992/22, section VII, and 1993/34, section III. The Commission may recall that the topic of United Nations standards and norms has been a standing item on its agenda, and that the Secretary-General submitted a report on the issue to the Commission at its tenth session, summarizing, inter alia, the results of the surveys concerning the implementation of the Basic Principles on the Role of Lawyers,[1] the Guidelines on the Role of Prosecutors[2] and United Nations Standard Minimum Rules for Non-custodial Measures (The Tokyo Rules) (General Assembly resolution 45/110, annex). That report (E/CN.15/2001/9) will be made available to the Commission

3. The Commission, at its tenth session, supported application of the standards and norms as an important means by which Governments could upgrade criminal justice administration, across sectors, improving professional performance, while safeguarding basic elements of human rights in an integrated manner. The Commission also stressed that the prevention and control of crime in all its forms should remain a central function of criminal justice systems and should not be suspended or underestimated in the light of the recent focus on "special" or "new" forms of crime such as corruption and organized crime.

4. At its tenth session, the Commission decided that the theme for its eleventh session would be "Reform of the criminal justice system": achieving effectiveness and equity. At its intersessional meeting held on 14 January 2002, the Commission agreed on the following sub-themes: "Reforming juvenile justice"; "Integrated criminal justice reforms, with particular emphasis on prosecutors, courts and prisons"; and "Strengthening international criminal justice cooperation".

5. Accordingly, the present report should be considered both under item 3 entitled "Thematic discussion on reform of the criminal justice system: achieving effectiveness and equity" and item 4 entitled "United Nations standards and norms in crime prevention and criminal justice". It provides updated information on the use and application of United Nations standards and norms contained in document E/CN.15/2001/9, and reviews their further development, particularly in the view of criminal justice reform. The report further offers an overview of the activities undertaken by the Secretariat, including the promotion of the standards, inter alia, by means of advisory services and technical assistance, training seminars and expert group meetings, and cooperation with other relevant entities. In pursuance of Economic and Social Council resolutions 1997/30, 1998/23, 1999/28 and 1999/27, the report provides information on juvenile justice and penal reform. Developments related to a number of other standards and norms are addressed in separate reports under agenda items 3 and 4.

II. Trends in criminal justice reform

6. Since its foundation, the United Nations has promoted the reform of criminal justice systems, drawing on the principles of the Charter of the United Nations and the International Bill of Human Rights. The decision in 1948 to establish an international group of experts on the prevention of crime and the treatment of offenders was inspired by the shared

belief that criminal justice systems in many parts of the world were in need of reform. For Member States, the United Nations Crime Prevention and Criminal Justice Programme offered a tool to help them in modernizing their criminal justice systems and to enhance their compliance with human rights instruments as a contribution to social justice. While maintaining the original focus on human rights and equity, standards and norms were increasingly also oriented towards enhancing the efficacy and efficiency of criminal justice systems, taking in particular into account the needs of developing countries and countries in transition through technical cooperation. That shift followed the growing realization that the administration of criminal justice had to be seen within a broader political, economical and social developmental context.

7. Four main currents can be identified in the work of the United Nations on standards and norms in the field of crime prevention and criminal justice: promotion of adherence to principles of human rights; upgrading of professional skills and formulation of a code of ethics for criminal justice practitioners; enhancement of international cooperation; and increasing concern for matters of public and urban security.

A. Human rights and criminal justice

8. From the outset, the protection of human rights has been the centerpiece of the work of the international community on criminal justice. At the First United Nations Congress on the Prevention of Crime and the Treatment of Offenders in 1955, agreement was reached on the Standard Minimum Rules for the Treatment of Prisoners.[3] The increasing importance attached to human rights considerations in criminal justice, as originally exemplified by international and regional conventions on human rights, was reflected in the growing number of specific instruments on crime prevention and criminal justice subsequently adopted by the General Assembly, the Economic and Social Council and the United Nations congresses on the prevention of crime and the treatment of offenders. International instruments on the treatment of offenders followed, such as the Standard Minimum Rules for Non-custodial Measures (The Tokyo Rules) (General Assembly resolution 45/110, annex), as well as on juvenile justice, including the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules) (resolution 40/33, annex) and the United Nations Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines) (resolution 45/112, annex). Those instruments built on the earlier Declaration on the Rights of the Child (resolution 1386 (XIV), and their provisions were taken into consideration in the elaboration of the Convention on the Rights of the Child (resolution 44/25, annex). In the 1980s, the scope of those efforts was extended to include the rights of victims of crime and abuse of power in the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power (resolution 40/34, annex). Following the Beijing Declaration[4] and Platform for Action[5], the Commission elaborated the Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice (resolution 52/86, annex). Concern over the question of capital punishment led to the formulation of the safeguards guaranteeing protection of the rights of those facing the death penalty (Economic and Social Council resolution 1984/50, annex) and related recommendations. The principles contained in those standards and norms were subsequently upheld in both national legislation and court practice in many countries.

B. Professionalism, including accountability

9. A second area of work focused on the development of standards for criminal justice professions, such as the Code of Conduct for Law Enforcement Officials (General Assembly resolution 34/169, annex), the Basic Principles on the Independence of the Judiciary,[6] and the Guidelines on the Role of Prosecutors.[2] That work reflected the need to pay more attention to recruitment, training, professional discipline and control as a result of the increase in the number of criminal justice practitioners in many countries.

C. International cooperation

10. A number of trends can be observed in international cooperation in criminal justice. First, the

amount and scope of international cooperation is expanding. The number of international, regional and bilateral agreements, as well as requests for mutual legal assistance in criminal justice cases, has been increasing. International cooperation was one of the core issues at the Eighth United Nations Congress in 1990. Model instruments, treaties such as the Model Agreement on the Transfer of Foreign Prisoners,[7] Extradition (General Assembly resolution 45/116, annex), Model Treaty on Mutual Assistance in Criminal Matters (resolution 45/117, annex) and the Transfer of Proceedings in Criminal Matters (resolution 45/118, annex) were developed with a view to facilitate worldwide international criminal justice collaboration. The adoption of the Convention against Transnational Organized Crime and the Protocols thereto (resolution 55/25) and the work on a new convention against corruption indicates a change in the approach of Member States and the United Nations, from recommendations and model regulations towards a harder attitude based on legally binding instruments. This further marks a shift from ad hoc cooperation to cooperation based more broadly on issues of policy and agreed-upon priority areas as demonstrated by various initiatives taken for example by the European Union, the Economic Community of West African States, the Association of South-East Asian Nations, the members of the Financial Action Task Force on Money Laundering, the Task Force on Organized Crime in the Baltic Sea Region and various other subregional groups. The new orientation is also reflected in the plans of action for the implementation of the Vienna Declaration on Crime and Justice (General Assembly resolution 56/261, annex). Second, so-called "fast track countries" have emerged. They try, in smaller groups of countries, to achieve international cooperation in criminal justice matters faster than may be agreeable to a broader and more heterogeneous group of countries. Third, there is a tendency towards more formal criminal justice cooperation, as the emphasis shifts from law enforcement cooperation to judicial cooperation.

D. Public and urban security

11. The relatively recent concern for public and urban security has emerged because of the growing role of urbanization in facilitating crime and requiring new crime prevention strategies and methods. At the same time, the technological development that goes along with urbanization also provides new tools for crime prevention and control. Countries are looking at the criminal justice system as an instrument to increase security and are searching for objective ways and means to evaluate the impact of criminal justice reforms on security, with due regard for other essential roles and values of criminal justice and for the problem of crime in rural and developing areas, which is increasing in many areas of the world.

III. Promoting the use and application of United Nations standards and norms

12. Over the years, Governments have repeatedly underlined the usefulness of the United Nations standards and norms in crime prevention and criminal justice in reforming domestic law and strengthening criminal justice institutions. Commonly agreed upon and internationally recognized principles contribute to the harmonization of national legislation and facilitate the elaboration of cooperation mechanisms in criminal justice matters among countries worldwide. Similarly, the principles and criteria, such as those in the respective model treaties, have proven to be of great value in the elaboration of new international instruments, such as the Convention against Transnational Organized Crime and the Protocols thereto, and the negotiation of a United Nations convention against corruption.

13. Promoting and disseminating existing standards and norms and reviewing their use and application is an essential part of the work of the Centre for International Crime Prevention. The Centre, within the limitations of the resources available, continued its efforts to enhance and focus its activities and to implement its mandates in this field in a cost-effective manner, taking into account the priorities of work as defined by its legislative bodies and the recommendations of the Committee for Programme and Coordination for a more balanced approach between combating international crime threats and promoting fair and efficient criminal justice systems (A/56/16, para. 185).

A. Vienna Declaration on Crime and Justice: a plan of action on standards and norms

14. In the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century,[8] States underlined the important role of the United Nations standards and norms in crime prevention and criminal justice. They committed themselves to endeavour, as appropriate, to use and apply the standards and norms in national law and practice.[9] The General Assembly, in its resolution 56/261 of 31 January 2002, paragraph 1, took note with appreciation of the plans of action for the implementation and follow-up of the Declaration. Section XIV of the plans of action on standards and norms recommends that States publish the *Compendium of United Nations Standards and Norms in Crime Prevention and Criminal Justice*[7] in the languages of their countries. At the international level, the action plan inter alia calls upon the Centre for International Crime Prevention to update the *Compendium*, promote the use and application of United Nations standards and norms through advisory services and technical cooperation, including assistance to Member States in criminal justice and law reform, training for law enforcement and criminal justice personnel and support to penal and penitentiary systems.

B. Technical assistance, training, seminars and information-sharing

15. The Centre pursued the promotion and dissemination of United Nations crime prevention and criminal justice standards and norms through advisory services and in the context of its technical assistance activities. The interregional advisors of the Centre use the standards and norms as parameters for their assessments. The standards serve as working tools during advisory missions, training activities, expert meetings and conferences, for example, in the series of training seminars for prosecutors, judges and law enforcement officials in Colombia, Croatia, Peru and Slovakia, which focused on transnational organized crime and corruption; at the regional seminar on facilitating the entry into force of the Convention against Transnational Organized Crime, held in Guatemala (E/CN.15/2001/CRP.4), and in seminars organized by the United Nations International Drug Control Programme (UNDCP) in Hungary and the Islamic Republic of Iran, to which the Centre contributed.

C. Coordination of activities and cooperation with non-governmental organizations: the importance of networking

16. The Centre continued its efforts to coordinate activities and cooperate with other United Nations entities and intergovernmental and non-governmental organizations. Further, it continued to work closely with the entities comprising the United Nations Crime Prevention and Criminal Justice Programme network.[10] The institutes comprising the network, within the scope of their respective mandates, have made valuable contributions to criminal justice reform. As reflected in the most recent report to the Commission (E/CN.15/2001/8), standards and norms figured prominently in the work of the institutes. Their activities related to corruption, victims, juvenile justice, penitentiary systems and alternatives, women and domestic violence, and international judicial cooperation.

17. Based on existing cooperative arrangements, and pursuant to the repeated requests by the Commission on Human Rights and the Commission on Crime Prevention and Criminal Justice, the Centre continued to collaborate with the Office of the High Commissioner for Human Rights, as well as with other relevant intergovernmental and non-governmental organizations. During the reporting period, cooperation focused both on standard-setting, particularly on topics linked to the Convention against Transnational Organized Crime and the Protocols thereto, and on issues related to field work and project implementation, including areas such as juvenile justice and trafficking in persons. The reports of the special rapporteurs on human rights and the Committee on the Rights of the Child reiterated the close link between the promotion and implementation of United Nations standards and norms in crime prevention and the promotion and respect for human rights. In the context of the work of the Ad Hoc Committee on the Elaboration of a Convention against Transnational Organized Crime, the Office of the High Commissioner for Human Rights, along with several other United Nations entities, international organizations and

non-governmental organizations, repeatedly referred to existing United Nations standards and norms as an orientation for the formulation of provisions of the Convention and its Protocols.

18. Close cooperation with non-governmental organizations significantly helped in broadening dissemination of the standards and norms. Given the expertise and long-standing experience of many non-governmental organizations, including those organizations representing specific professional groups, the Centre consistently maintained close working relationships and made efforts to widen the range of cooperation.

19. The international concern about professionalism and accountability of prosecutors led to the adoption of the Guidelines on the Role of Prosecutors.[2] This was followed by the creation of the International Association of Prosecutors in 1995, an initiative that was actively supported by the Centre. Based on the United Nations Guidelines, the Association developed a set of standards of professional responsibility and a statement of the essential duties and rights of prosecutors that were adopted by the Association on 23 April 1999. These materials were used as reference in joint activities including a workshop on extradition and mutual legal assistance, and in other work of the Centre with the professional community. In 2001, the Centre and the Association elaborated a joint questionnaire seeking to collect information related to the ratification and implementation of the Convention against Transnational Organized Crime. The Association helped to disseminate the questionnaire to its members and will assist with collecting and analysing the replies. In providing pre-ratification assistance for the Convention, the Centre will take into account the replies received from the professional community of prosecutors, allowing it to respond more adequately to the requirements of various jurisdictions and to focus assistance on the practical needs of Member States.

D. Implementation of standards and norms

1. Corruption and public security: the results of the surveys

20. In its resolution 51/191 of 16 December 1996, the General Assembly adopted the United Nations Declaration against Corruption and Bribery in International Commercial Transactions. In its resolution 51/59 of 12 December 1996, annex, the Assembly adopted the International Code of Conduct for Public Officials. The Economic and Social Council, in its resolution 1998/21, requested the Secretary-General to prepare survey instruments on those instruments. Pursuant to that request, the Centre submitted two questionnaires to Governments in late 1999. The reports contained in documents E/CN.15/2002/6 and E/CN.15/2002/6/Add.1 summarize the replies provided by Member States to the questionnaires.

21. Further, the Global Programme against Corruption of the Centre contributed to promoting the application of United Nations standards and norms in the field of crime prevention and criminal justice through its activities at the policy and operational levels. It has developed and issued a series of academic and technical material, including a draft anti-corruption tool kit, and is revising a United Nations manual on anti-corruption policy, which integrates United Nations policy perspectives and precepts, including the above-mentioned instruments. The Global Programme against Corruption has conducted a series of field-level activities and organized a number of seminars on corruption, drawing on relevant United Nations standards and norms.

22. The General Assembly, in its resolution 51/60 of 12 December 1996, approved the United Nations Declaration on Crime and Public Security, annexed thereto. Pursuant to Economic and Social Council resolutions 1997/34 of 21 July 1997 and 1998/21, the Secretariat prepared a questionnaire on the use and application of the Declaration. An analysis of replies from Member States, intergovernmental organizations and the United Nations Crime Prevention and Criminal Justice Programme network is brought to the attention of the Commission in document E/CN.15/2002/11. With these three reports, the first cycle of reporting on the use and application of standards and norms as approved by the Commission can be considered completed.

2. Victims of crime

23. Standards on the protection of victims proved to be of great practical relevance in technical assistance projects that were aimed at improving the situation of victims of crime. A project carried out in the

Philippines by the global programme against trafficking in human beings included an analysis of the legal and practical situation of victims of trafficking in persons and proposals for legal and practical action. The United Nations standards, as well as the guide for policy makers (E/CN.15/1998/CRP.4) and the handbook on justice for victims (E/CN.15/1998/CRP.4/Add.1) were applied successfully as parameters in the assessment and were useful tools in formulating proposals for action at the national level.

24. In the context of a project on building non-governmental support structures for victims of violent crime and based on the experiences gained, the handbook on justice for victims will be updated, and a special manual on assistance for victims of trafficking will be drafted. The project will be executed in cooperation with the International Scientific and Professional Advisory Council.

3. Violence against women

25. A considerable part of human trafficking concerns trafficking in women, which can be considered a specific form of violence against women, including elements of power and control. The topic has been addressed by the Centre from that perspective at several international conferences and workshops, such as the Second Interpol Working Group Meeting on Trafficking in Women, 13-16 October 2001, The Hague; and the Second World Congress against Commercial Sexual Exploitation of Children, 17-20 December 2001, Yokohama, Japan.

4. Standards and norms in peacekeeping

26. United Nations criminal justice standards and norms continued to be used for guidance in the context of ongoing peacekeeping missions and in post-conflict reconstruction, offering orientation and a normative framework in establishing, re-establishing or strengthening criminal justice systems. The Centre contributed to those efforts by disseminating documentation, and it provided selected input to regional and national initiatives through the network of field offices of the United Nations Office for Drug Control and Crime Prevention (ODCCP) and UNDCP, as appropriate.

5. Publications, dissemination and information

27. Publications produced by the Centre on standards and norms continued to be used as important means of promoting the use and application of the standards. The Centre continued to use manuals and guidelines that it had developed as well as those published by other international and non-governmental organizations.[11] Recent publications and working papers of the Centre (see http://www.undcp.org/crime_cicp_publications.html) contain references to existing standards of the United Nations, regional instruments and national provisions. Most of the relevant standards, as well as a number of publications and selected reference material, are available through the web site of the Centre for International Crime Prevention (see http://www.undcp.org/crime_cicp_standards.html), which has been accessed by a considerable number of users (the site was accessed 59,813 times in 2001, with a download volume of 9.445 GB). Efforts are being made to make the publications and documents available in all of the official languages of the United Nations. The Centre also plans to publish an updated version of the *Compendium of United Nations Standards and Norms in Crime Prevention and Criminal Justice*.[7]

E. Use and application of standards and norms: reviewing the information-gathering system

28. At its seventh session, the Commission agreed on a standardized methodology for the gathering of information.[12] It gave in-depth consideration to both the types of questionnaires and the periodicity of reporting. The Secretariat has continued to examine the use and application of standards and norms and has reported to the Commission (E/CN.15/1999/6 and Corr.1 and E/CN.15/2001/9). Reports on capital punishment and implementation of the safeguards guaranteeing protection of the rights of those facing the death penalty (E/CN.15/2000/3 and E/CN.15/2001/10 and Corr.1) were before the Commission at its ninth and tenth sessions. The methodology for gathering of information was applied to selected standards and reports and was reported to the Commission accordingly.

29. The Commission, at its tenth session, initiated a discussion on the status and advancement of work on standard-setting and promoting and overseeing the use

and application of existing standards, including by information-gathering and survey processes.[13] It discussed a system of reporting on "clusters", using as a model the survey and research on the death penalty. Many speakers, in line with the proposed "clustered" approach, stated that all standards and norms in crime prevention and criminal justice had great value and potential in preventing or deterring conventional forms of crime. Speakers suggested that the work be continued following further the new "clustered" approach, the possibility of which could be further pursued after the eleventh session. Many speakers were of the view that the Secretary-General's proposals to consolidate, streamline and better rationalize reporting obligations were particularly valuable.

30. The current system of gathering data by surveying Member States using a separate questionnaire for each respective instrument may have outlived its purpose. It has significant cost implications for both Member States and the Secretariat, and the Commission, owing to time constraints and other pressing issues, is often not able to review in detail the various surveys being brought to its attention. A careful cost-benefit assessment seems to be called for before a new round of surveys is initiated. In such an assessment, consideration should also be given to the relationship between standards and norms and the newly adopted legally binding instruments, such as the Convention against Transnational Organized Crime and the Protocols thereto, and the upcoming convention against corruption. Monitoring or reviewing the implementation of those instruments will soon be the responsibility of separate bodies, such as the Conference of State Parties to the Convention against Transnational Organized Crime. To some extent, principles contained in United Nations standards and norms are incorporated in those instruments. At present, however, a large number of existing standards and norms in crime prevention and criminal justice will continue to serve as a basis for addressing crime prevention and criminal justice issues across the world.

31. Conceptually, the periodic overview of the use and application of standards and norms could look at cross-cutting aspects of all or several instruments, rather than at each individual instrument separately, using the clustered approach. Criteria for clustering could be selected based on both normative and operational considerations. Data gathering could focus, for example, on the application of all relevant standards and norms regarding international cooperation. Such a review would amount to a worldwide assessment of legal, institutional and practical arrangements for mutual legal assistance. Reviews could, alternatively, focus on standards and norms concerning cross-cutting normative aspects such as gender equality or integrity of criminal justice personnel. Still another possibility group existing standards and norms by thematic issues, which could be reviewed by using a shorter, consolidated version of the survey instrument. As a result, countries would be requested to respond to no more than one questionnaire per year. In practical terms, such an approach could allow a more focused and streamlined process of data-gathering and a more comprehensive overview.

32. Drawing on the results of the discussion and the proposals made on the use of standards and norms and taking into account recommendation 2 on monitoring of standards and norms contained in the triennial review of the Office of Internal Oversight Services (E/AC.51/2001/5, para.13), the Commission may wish to consider the most appropriate mechanism for reporting on the use and application of standards and norms.

F. New developments and challenges

33. In accordance with Economic and Social Council resolutions 1999/26 of 28 July 1999 and 2000/14 of 27 July 2000 concerning standards for restorative justice and mediation, many countries have begun to introduce alternative approaches in criminal justice systems. As reflected in the report on restorative justice (E/CN.15/2002/5), many States have paid particular attention to implementing restorative justice measures in their juvenile justice systems. It appears that juvenile justice is one of the areas where restorative processes will be most readily applied. The new interest in alternative dispute resolution stems from disillusionment with the potential of formal law systems to serve the needs of the parties involved and the community. The social merits of indigenous law traditions are being rediscovered, and elements of customary law are used as models for innovation. The issue of restorative justice was also the subject of a meeting of a group of experts that adopted revised draft elements of a declaration of basic principles on

the use of restorative justice programmes in criminal matters (E/CN.15/2002/5/Add.1).

34. Urban security continues to be a primary social problem in both developed and developing countries. Expanded investments in criminal justice systems have contributed to the reduction of violent and other conventional crime, most notably in several large cities. However, levels of crime remain at an unacceptable high level in many countries. In many urban areas, crime and violence diminish the quality of life of citizens and slow down economic activity. Prison populations continue to grow, even where crime rates are falling. Expenditures on prison administration have become a huge financial burden for many Governments. Countries with very large prison populations are also facing increasing problems with the constant stream of persons released from prison back to the community.

35. Against that background, there is growing understanding that crime prevention should not be the exclusive responsibility of criminal justice systems and that other public and private parties have an important role to play. That inclusive approach is reflected in the draft elements of responsible crime prevention, which were reviewed by an expert group meeting, held in accordance with Economic and Social Council resolution 2001/11 of 24 July 2001 on action to promote effective community-based crime prevention, leading to the development of new draft guidelines for the prevention of crime (E/CN.15/2002/4, annex II). The proposed text is before the Commission for consideration and action.

36. Governments and criminal justice systems face new challenges from emerging global crime threats such as transnational organized crime, trafficking in persons or illicit goods, laundering of illicit profits of crime, corruption and terrorism. To counter those threats, increased international cooperation in criminal justice is imperative. Procedures and mechanisms for mutual legal assistance will become indispensable operational tools in more and more criminal investigations and cases, and mechanisms for international cooperation must be strengthened and streamlined.

37. For smooth, expedient and effective criminal justice cooperation, adherence to internationally recognized human rights standards is a necessity. Countries facing global crime threats are in need of reliable and credible criminal justice counterparts who act both effectively and with due respect for human rights. United Nations standards and norms have been formulated in a way that ensures the respect and full integration of fundamental principles of human rights into these instruments. The reflection of human rights considerations in criminal justice instruments has increased the relevance of those instruments and made them more reliable and useful for Governments, the professional community and civil society. The array of instruments and mechanisms at the practitioner's disposal for such cooperation should now be reviewed, refocused and used more effectively.

38. The development of instruments on international criminal law has gained unprecedented momentum in recent years. Principles and provisions contained in existing United Nations standards and norms have been integrated into legally binding instruments. For example, several principles contained in the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power have been incorporated in the laws and rules of international criminal tribunals, in the United Nations Convention against Transnational Organized Crime and in even greater detail in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (General Assembly resolution 55/25, annex II). It is expected that the work of the Ad Hoc Committee for the Negotiation of a Convention against Corruption will further codify existing standards of professional ethics of relevant professional groups. In short, the increased pressure on criminal justice systems to globalize their operations accelerates the transformation of existing soft law into legally binding conventions and protocols.

IV. Penal reform

39. For many countries, developed and developing countries alike, penal reform continues to be a priority issue on the agenda for criminal justice reform. That position was reflected in the responses of Member States concerning prison conditions and the establishment of alternatives to imprisonment, presented to the Commission at its eighth session (E/CN.15/1999/7, paras. 26-47) and the subsequent discussions by the Commission and the Tenth United Nations Congress on the Prevention of Crime and the

Treatment of Offenders. Several Member States took a similar position in their replies on the desirability and the means of establishing common principles on the use of restorative justice programmes in criminal matters, indicating that they applied restorative justice principles as an element to address the issue of prison overcrowding. The Economic and Social Council, in its resolution 1999/27 of 28 July 1999 on penal reform, took note of the Arusha Declaration on Good Prison Practice annexed to the resolution and urged Member States to take action to address problems of overcrowding of prisons and take measures to reduce the number of prisoners on remand, in accordance with the Kampala Declaration on Prison Conditions (Economic and Social Council resolution 1996/37, annex) and the Kadoma Declaration on Community Service (resolution 1998/23, annex I). It also recommended to Member States to consider conducting research on new approaches to penal and justice reform and the possible use of new modes of accessible justice for minor offences.

A. Comparative aspects of world prison populations

40. The issue of prisons and detention, and particularly prison overcrowding, transcends a number of areas addressed in the Vienna Declaration and the action plans, such as women, juveniles, victims of crime, protection of witnesses, prison health, pre-trial detention and restorative justice and alternatives to incarceration. It also affects related issues, including the management of prisoners convicted of organized crime, corruption and bribery, as well as the management and temporary detention of smuggled migrants, and, as appears to be the case in some countries, victims in cases of trafficking in persons.

41. Given the relevance of the discussions and conclusions of the Commission on the issue, the United Nations Crime Prevention and Criminal Justice Programme network organized a practical workshop on "World prison populations: Facts, trends and solutions", held on 10 May 2001 in conjunction with the tenth session of the Commission.[14] The workshop was provided with an in-depth analysis and interpretation of trends and issues relevant to all regions of the world with a focus on global prison populations and trends, based on the *World Prison Population List*[15] and the "World prison brief".[16] The workshop noted that there were over 8.5 million prisoners held in penal institutions throughout the world, either as pre-trial detainees (remand prisoners) or having been convicted and sentenced. While the statistical data, which indicated an average prison population of 140 prisoners per 100,000 population, were not alarming in themselves, the fact that prison populations grew in most countries, in all regions of the world, throughout the 1990s was a cause for serious concern. In some developed countries, growth during the period was as high as 40 per cent.

42. Of more concern than the increase in imprisonment rates themselves were the conditions that prevailed as a result of the increase. High prison populations led to prison overcrowding, which invariably led to a multitude of other problems, including decreased living space in prisons, resulting in poor hygiene and sanitation, difficulties with clothing and the quality and quantity of food, health problems and increased tension and violence amongst prisoners and violence against prison staff. Overcrowding also had a direct impact on prison administration, the same number of staff having to deal with a larger number of inmates, leading to less supervision and the weakened ability of institutions to engage in constructive programmes and activities conducive to reintegration.

43. The regional studies on Latin America, Asia and Africa indicated that prison overcrowding affected most, if not all, countries of those regions. However, prison population rates varied considerably between and within different regions of the world. The view was expressed that, until the problem of overcrowding was resolved, efforts to improve other aspects of prison reform were unlikely to have any meaningful impact. In many cases, the growth in imprisonment could not be explained by increasing crime rates alone. It was felt that the belief that imprisonment was preferable to the alternatives was still prevalent, and that the growth in imprisonment was mainly policy-driven.

44. In many countries, viable alternatives to imprisonment, such as those recommended in the United Nations Standard Minimum Rules for Non-custodial Measures, did not exist. Prison conditions led to situations where men, women, juveniles and in some cases children were subject to abuse, either directly or as an unintended consequence of severely overcrowded

facilities. In that context, the meeting discussed how prison administrators who were faced with an acute problem of overcrowding without corresponding resources could address the issue on a on a day-to-day basis.

45. All participants who made presentations agreed that overcrowding led to breaches of recognized international standards, which decreased the likelihood of prisoners being satisfactorily reintegrated into the community upon release.

46. For developed countries, the challenge related to the exorbitant amount of resources spent on imprisonment, while in many parts of the developing world, the challenge was to provide for the most basic human needs of prisoners.

47. The meeting also considered the issue of organized crime from the perspective of prison detention. Many institutions were ill-prepared to deal with the incarceration of members of organized criminal groups. In some cases, that led to creating an even more fertile ground for organized crime, creating pressure on staff and management, be it through threat or corruption. Correctional services, without adequate support and resources, were not able to develop the expertise required to properly address those issues. The meeting stressed the importance of keeping the issue of prisons and related international standards at the forefront of the crime prevention and criminal justice agenda.

B. The Vienna Declaration on Crime and Justice: plan of action on prison overcrowding and alternatives to incarceration

48. To implement and follow up on the commitments undertaken in paragraph 26 of the Vienna Declaration, section X of the plans of action recommends that States should endeavour to develop specific actions and time-bound targets at the national level to address prison overcrowding, including measures to reduce pre-trial detention, the introduction of alternatives to imprisonment, and the use of customary practice, mediation or the payment of civil reparations or compensation when dealing with minor offences. At the international level, the action plan calls for the inclusion of measures to reduce prison overcrowding into technical cooperation programmes and the promotion of actions on prison overcrowding and alternatives to incarceration that take also into account any disparate impact on women and men.

V. Juvenile justice

49. The Economic and Social Council, in its resolution 1999/28 of 28 July 1999, requested the Secretariat to report on the administration of juvenile justice as well as on the activities of the coordination panel on technical advice and assistance in juvenile justice. The information provided below gives an update to the report on juvenile justice reform that was submitted to the Commission at its ninth session (E/CN.15/2000/5). That report provided an overview of international instruments relating to juvenile justice, with emphasis on the roles, functions and activities of the partners concerned within the United Nations system and the machinery put into place. Progress achieved in advancing juvenile justice reform was discussed, reflecting technical assistance and other activities that had been carried out. Earlier reports to the Commission provided an analysis of the use and application of United Nations standards and norms in juvenile justice (E/CN.15/1998/8/Add.1) and regular information on the development and implementation of Guidelines for Action on Children in the Criminal Justice System (E/CN.15/1998/8), adopted by the Economic and Social Council in its resolution 1997/30 of 21 July 1997 (annex).

50. The issue of juvenile justice has been addressed at different levels by the Commission and the Tenth Congress and in subsequent resolutions by the Economic and Social Council and the General Assembly. The topic was debated in the context of the work of expert groups, particularly the one on restorative justice. Aspects of juvenile justice were further reflected in the elaboration of the Convention against Transnational Organized Crime and particularly the Protocol against Trafficking in Persons. Issues of juvenile justice were also addressed by the Centre and other United Nations entities through technical assistance activities.

A. Coordination panel on technical advice and assistance in juvenile justice

51. Pursuant to Economic and Social Council resolution 1997/30, the Secretary-General established a coordination panel on technical advice and assistance in juvenile justice to ensure a coordinated approach and to strengthen technical cooperation in the field of juvenile justice within the United Nations system. The panel includes the Centre for International Crime Prevention, the Office of the United Nations High Commissioner for Human Rights, the United Nations Children's Fund (UNICEF), the United Nations Development Programme (UNDP), the Committee on the Rights of the Child, as well as the international network on juvenile justice, an umbrella organization of non-governmental organizations. The panel held its first meeting on 25 and 26 June 1998 in Vienna and its second meeting from 20 to 21 March 2000 in New York.[17] The third meeting of the panel will be held in the spring of 2002. The United Nations Committee on the Rights of the Child, which pays consistent and systematic attention to the administration of juvenile justice, welcomed the establishment of the coordination panel.[18] Since the establishment of the panel, the Committee, in many of its concluding observations, has encouraged State Parties to the Convention on the Rights of the Child to consider seeking technical assistance from the member organizations of the panel, including the Centre. The work of the panel has had a concrete impact on the planning and implementation of projects and other activities carried out by the panel members, as described below.

B. Office of the High Commissioner for Human Rights

52. Activities of the Office of the High Commissioner for Human Rights in the field of juvenile justice range from those dealing generally with the administration of justice to those that focus on specific juvenile justice aspects. At the general level, the Office of the High Commissioner for Human Rights currently has technical assistance programmes in Burundi, Cambodia, Chad, Colombia, Croatia, East Timor, Madagascar and Yugoslavia on the administration of justice. The programmes include: training judges, lawyers, prosecutors, the police and prison officers; holding workshops; giving assistance and advice to States on the administration of justice; and monitoring of trials. The Office of the High Commissioner for Human Rights also provides the secretariat for the human rights treaty monitoring bodies that consider the administration of justice, in particular the Committee on the Rights of the Child, the Human Rights Committee, the Committee on the Elimination of Racial Discrimination and the Committee against Torture, as well as to working groups and special rapporteurs of the Commission on Human Rights. In September 2000, the Committee on the Rights of the Child held a day of discussion on "State violence against children". In October 2001, the Committee adopted guidelines regarding the initial reports concerning the implementation of the Optional Protocol to the Convention on the involvement of children in armed conflict, which entered into force on 12 February 2002.

53. At the level of technical cooperation, the Office of the High Commissioner for Human Rights has initiated projects in the Philippines and Uganda. The Office of the High Commissioner for Human Rights and the Government of the Philippines signed a project document in 1999 to undertake a comprehensive reform of the juvenile justice system. The project provides assistance for developing juvenile justice legislation in conformity with international standards, elaborating internal procedures for professionals dealing with children in conflict with the law, training public authorities to promote the best interests of children, among others by developing specialized materials for train-the-trainer courses, and launching an information campaign to raise public awareness concerning the rights of the children in conflict with the law. Within the framework of the coordination panel on technical advice and assistance, the Office of the High Commissioner for Human Rights organized a training and strategy development workshop on juvenile justice in Jinja, Uganda from 23 to 26 October 2000.

C. United Nations Children's Fund

54. UNICEF undertakes projects on juvenile justice either on its own or in cooperation with other entities including the Office of the High Commissioner for Human Rights, UNDP, the Centre for International Crime Prevention, the World Health Organization and the International Red Cross and Red Crescent Society.

By the end of 2001, some 75 per cent of the UNICEF country offices were involved in juvenile justice projects. UNICEF has produced informal guidelines for its country offices designed to ensure that country projects conform to a human rights framework. UNICEF does not encourage its country offices to set up projects that focus on juvenile delinquency as such. UNICEF is of the view that the best way to avoid juvenile delinquency is through ensuring adequate promotion and protection of children's rights. Thus, it focuses on the avoidance of delinquency through the promotion of health, education and sanitation for children.

55. One main UNICEF concern in the area of juvenile justice is the problem of children deprived of their liberty. A UNICEF-sponsored study estimated that the number of children deprived of their liberty throughout the world is one million.[19] UNICEF considers the reduction of that high number to be a priority and has pursued three main strategies to address the issue. First, UNICEF has adopted strategies encouraging decriminalization and diversion. Strategies on decriminalization look at how children are deprived of their liberty. UNICEF has discovered that many children deprived of their liberty have never committed a crime; many of them are street children, vagrants and unaccompanied refugee children. Strategies on diversion examine ways to avoid involving children in the judicial system. Second, UNICEF has adopted strategies on restorative justice. UNICEF offers assistance to its counterparts by examining traditional mechanisms for child justice that are in accordance with the promotion and protection of children's rights. Third, UNICEF has adopted strategies on alternative options to judicial sanctions other than the deprivation of liberty, thus reflecting measures such as those recommended in the United Nations Standard Minimum Rules for Non-custodial Measures. UNICEF has carried out several projects in the area of juvenile justice in post-conflict situations, including in East Timor, Kosovo, Rwanda, Sierra Leone and Somalia. The UNICEF International Research Centre in Florence organized a seminar on "Juvenile justice in post-conflict situations" from 23 to 25 May 2001. UNICEF is also actively involved in assuring that children's rights are on the agenda and in the activities of the International Criminal Court and other national and international justice mechanisms dealing with war crimes, genocide and other crimes against humanity.

D. Technical assistance and other activities implemented by the Centre for International Crime Prevention

56. The Centre for International Crime Prevention has made strong efforts to address juvenile justice aspects in all relevant areas of work, particularly in its activities related to restorative justice and to the Convention against Transnational Organized Crime and the Protocols thereto, as described above. Nevertheless, the scope of activities of the Centre was limited by a number of factors. The request of the Commission on Crime Prevention and Criminal Justice and other legislative bodies for the Centre to focus on priority areas, including transnational organized crime, corruption and trafficking in persons, restricted the level of resources available. Technical assistance projects on juvenile justice, as described below, were subject to extrabudgetary funding.

57. In response to a request of the Government of Lebanon, a technical assistance project was launched in January 1999. The project, which is due to be completed in March 2002, aims at strengthening the legislative and institutional capacities of the juvenile justice system and formulating a strategy on the improvement of prison conditions for young offenders while ensuring that measures for protection, assistance and education prevail over penal sanctions. Existing legislation was strengthened, especially as regards the application of educational and alternative measures, recourse to conciliation procedures, and protection offered to juvenile victims of crime. A draft law was adopted by the Council of Ministers and by the Parliamentary Committee for Administration and Justice. The Parliament is expected to consider it in early 2002. With support from the project, the Youth Department, which plays a central coordinating role, established a standardized system for collecting data on juvenile offenders. The Centre assisted national authorities in establishing a youth police unit within the judicial police and in developing new training curricula on juvenile justice for staff of criminal justice agencies and other services. The project included: strengthening the administration in charge of the detention of juveniles at the central prison; reorganizing the current premises; strengthening current educational and vocational programmes; and assistance in designing a new rehabilitation and observation centre for juveniles convicted or on

remand. Finally, the Centre, in collaboration with the Ministry of Justice, undertook research on the extent of juvenile delinquency. A first report, assessing data from 1998, provides an analysis of the situation of juveniles in conflict with the law and the institutions dealing with juvenile delinquents. A follow-up report, based on data for 1999 and 2000, is being finalized.

58. In order to ensure a comprehensive reform of the penal system for minors, three main issues remain to be addressed: female minors in detention; prevention of delinquency; and recidivism. At the request of the national authorities, a follow-up project was elaborated in order to respond to those concerns. The aims of the project are: (a) to establish a specific institution for the detention of girls in conflict with the law; (b) to set up a youth care service responding to the Ministry of Justice as well as re-socialization programmes outside the prison context; and (c) to establish a protection section at the Youth Department of the Ministry of Justice and a judicial protection procedure for minors who have become victims of crime.

59. Based on the recommendations of a technical mission, undertaken at the request of the Ministry of Justice of Egypt, the Centre elaborated a project to provide assistance to the Government in its efforts to strengthen the legislative and institutional capacity of the country's juvenile justice system and improve the detention conditions of juvenile offenders. The aims of the project are: (a) to establish a youth council to function as a research and coordination unit; (b) to improve capacity-building; (c) to enhance safeguards in case work involving children at risk; and (d) to reinforce the national legislative provisions in respect of juveniles. The activities will contribute to efforts already made in some penal establishments to provide the social, educational and psychological framework necessary to re-socialize and re-educate juvenile offenders. Furthermore, the project will complement the interventions foreseen under the UNDCP project on drug demand reduction among street children in Cairo and Alexandria, which will set the ground for further activities in the areas of youth at risk and juvenile delinquency.

60. In South Africa, a three-year project on child justice was initiated in 1999, with the Department of Justice and Constitutional Development as the government cooperating agency. The United Nations agencies that are parties to the agreement are UNDP and the United Nations Office for Project Services, with the Centre for International Crime Prevention as an associated agency. The project is situated in the Directorate of Children of the Department of Justice. The inter-sectoral steering committee, which was established at the outset of the project, includes, in addition of eight national departments and offices, the Swiss Development Co-operation, UNDP, UNICEF and the Centre. The project is assisting the Government in the implementation of a new child justice system in accordance with articles 37 and 40 of the Convention on the Rights of the Child and other relevant international instruments such as the United Nations Standard Minimum Rules for the Administration of Juvenile Justice, the Guidelines for the Prevention of Juvenile Delinquency, and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty (General Assembly resolution 45/113 of 14 December 1990). The project seeks to assist the Government and the non-governmental sector in the development of adequate responses to young offenders by: (a) enhancing the capacity and the use of programmes for diversion and appropriate sentencing; (b) increasing the protection of young people in detention; (c) strengthening the implementation of child justice legislation; (d) raising awareness among professionals in the criminal justice system and the general public of the transformation regarding child justice; and (e) establishing an independent monitoring process. The project was developed in close cooperation with the coordination panel on technical advice and assistance in juvenile justice, which, in view of the very promising interim results, is considering making it the basis for the formulation of guidelines for the development and implementation of juvenile justice.

E. Activities of non-governmental organizations: International Network on Juvenile Justice

61. Following the recommendations made during the most recent meeting of the coordination panel, the International Network on Juvenile Justice, an umbrella structure of non-governmental organizations participating in the work of the coordination panel, co-organized juvenile justice training with the Office of the High Commissioner for Human Rights in Uganda in October 2000. Other activities included the

provision of expertise in the context of UNICEF activities in The former Yugoslav Republic of Macedonia, and participation in a juvenile justice training for professionals from Malawi, Nepal, Uganda and the United Republic of Tanzania, organized by the Danish Centre for Human Rights. The Network cooperates with other non-governmental organizations through a subgroup on juvenile justice and child caucus groups, and addresses juvenile justice issues at sessions of the Commission on Crime Prevention and Criminal Justice, the Commission on Human Rights, the Committee on the Rights of the Child, and the Committee against Torture. The Network developed a number of information tools, including a web site, a newsletter and a juvenile justice discussion list. In 2001, the Network compiled and analysed the concluding observations of the Committee on the Rights of the Child under the title "Juvenile justice, 'the unwanted child' of State responsibilities". The Network also organizes international panel discussions, of which the most recent one was held at the Second World Congress against Commercial Sexual Exploitation of Children, held in Yokohama, Japan, 17-20 December 2001.

F. Juvenile justice aspects in the Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children

62. The United Nations Convention against Transnational Organized Crime, dealing primarily with the activities of organized criminal groups, does not explicitly raise juvenile justice issues. However, during the negotiations of the Convention, the need was felt for several of its provisions to be consistent with standards and norms on juvenile justice. Provisions such as those on assistance and protection of victims (art. 25) and the protection of witnesses (art. 24), for example, apply equally to witnesses and victims of all ages. Further, concerns were expressed about the recruitment of young people into organized criminal groups and about the vulnerability of particular social groups, including young people, to the direct and indirect consequences of organized crime. That concern is reflected in the provision dealing with prevention (art. 31), which refers to "projects aimed at the prevention of transnational organized crime for example by alleviating the circumstances that render socially marginalized groups vulnerable to the action of transnational organized crime".

63. The Protocol to Prevent, Suppress and Punish Trafficking in Persons takes account of the fact that many victims of trafficking are children, defined by the instrument as any person under 18 years of age, and that victims are often exploited in ways that also make them offenders under the laws of the countries to which they are trafficked. In cases where the victim is under 18 years of age, the offence of trafficking applies more broadly. The recruitment, transportation, transfer, harbouring or receipt of a child constitute trafficking even if the use of illicit means such as coercion, abduction or abuses of power, which must be established as elements of the offence where adult victims are involved, are not used. The Protocol's reactive criminal justice elements are balanced against provisions that support and assist victims, recognizing that the victims of trafficking, including children, are particularly vulnerable to abuses such as the risk of being re-victimized. States Parties are required to consider measures to promote the recovery of victims that take into account the special needs of children and to protect victims, especially women and children, against re-victimization. The provisions of the Protocol that deal with the training of officials also include training in protecting the rights of victims and in the need to protect them against traffickers, and indicate that training methods should take into account child- and gender-sensitive issues.

G. Vienna Declaration on Crime and Justice: plan of action on juvenile justice

64. Section XII of the plans of action for the implementation of the Vienna Declaration addresses juvenile justice. It calls on States to support the development of juvenile-specific crime prevention practices that take account of the vulnerability of juveniles to criminal recruitment, including timely assistance to juveniles in difficult circumstances. It also calls for strengthening juvenile justice systems, promoting the re-education and rehabilitation of juvenile offenders and increasing the involvement of

civil society in efforts to prevent juvenile crime. At the international level, the action plan calls upon the Centre to develop technical cooperation projects in the field of juvenile justice, to assist States in their implementation and to ensure effective cooperation among relevant United Nations agencies and other relevant organizations.

VI. Concluding remarks and proposals for action by the Commission

A. Reform of the criminal justice system: achieving effectiveness and equity

65. During the thematic discussion on reform of the criminal justice system: achieving effectiveness and equity (item 3 of the provisional agenda), the Commission may wish to discuss criminal justice reform in its full range, giving special attention to the subthemes: reforming juvenile justice; integrated criminal justice reforms, with particular emphasis on prosecutors, courts and prisons; and strengthening international criminal justice cooperation. In that context, the Commission may also wish to consider the role of technical assistance and cooperation in support of criminal justice reform, among others in the framework of peacekeeping and post-conflict reconstruction.

66. It is expected that, during the thematic discussion, presentations will be made on ongoing technical assistance projects, for instance on juvenile justice. Experts will be invited from countries where comprehensive criminal justice reform has been carried through. Special attention will also be given to recent developments in cooperation at the regional level. On the basis of the discussion, the Commission may wish to consider proposals for the promotion of criminal justice reform, for example through technical assistance and advisory services, the collection and dissemination of data on the use and application of standards and norms, and examples of good practice.

B. Strengthening the dissemination and application of standards and norms in crime prevention and criminal justice

67. The Commission, taking into account the considerations of the Committee for Programme and Coordination on striking a balanced approach between combating international crime threats and promoting fair and efficient criminal justice systems (A/56/16, para. 185), may wish to consider realistic and practical modalities of more effective international cooperation efforts that would also contribute to improving and further advancing the application of United Nations standards and norms.

68. Previous deliberations and discussions by the Commission have established that effective implementation can be achieved only through the wide dissemination and promotion of the United Nations standards and norms at the international, regional and national levels. Pursuant to Economic and Social Council resolutions 1996/16 and 1998/21, measures should be taken towards further improving the efficacy of their use and application through advisory services, expert group meetings, training seminars, the preparation of training materials, the updating of existing manuals, and the development of "best practice tool kits". The Commission may further wish to recommend the extended use of new technologies in the dissemination of standards and norms and related documentation, as well as support to Member States to facilitate access through such media.

C. Improving the review of the use and application of standards and norms on crime prevention and criminal justice

69. A standardized methodology for gathering information on the use and application of the standards has applied over several years to selected standards, and reports to the Commission have been prepared accordingly. The Commission may wish to consider on how best to review the use and application of the standards and norms, taking into account its earlier deliberations and decisions on the methodology, including the scope and periodicity of reporting, criteria for benchmarking and use of a "clustered" approach. In its considerations, the Commission may wish to take into account the results achieved in the

completion of the first reporting cycle, as well as the following additional options to strengthen its role in taking informed decisions based on reliable and comprehensive information:

(a) Calling upon the Secretariat to hold an expert group meeting to review the present system of examining and reporting on the use and application of existing standards and norms, based on an overview of work advanced, to assess the advantages and difficulties to be expected in using a "clustered" approach, and to report thereon to the Commission at its twelfth session, drawing also on concrete proposals to be made by the Secretariat;

(b) Evaluating the results achieved and the progress made in the application of existing standards and norms with a view to re-orienting activities towards a more focused technical assistance programme for criminal justice reform by the Centre for International Crime Prevention and the United Nations Crime Prevention and Criminal Justice Programme network, in line with the action plans for the implementation of the Vienna Declaration on Crime and Justice.

D. Developing new standards

70. The Commission may wish to discuss and adopt the new draft instruments on restorative justice and crime prevention and recommend that Member States disseminate them and promote their widest use and application.

E. Penal reform

71. In line with the plan of action for the implementation of the Vienna Declaration on Crime and Justice, section X on prison overcrowding and alternatives to incarceration, the Commission may wish to reiterate its call upon Member States to take action to address the issue of prison overcrowding and alternatives to imprisonment, following up on the recommendations contained in Economic and Social Council resolution 1999/27 on penal reform, and to apply the principles contained in the Arusha Declaration on Good Prison Practice. The Commission may also wish to call upon the Centre for International Crime Prevention to provide assistance in the form of advisory services, needs assessments, capacity-building, training or other assistance to States, upon request, to enable them to improve prison conditions, reduce prison overcrowding and increase reliance on alternatives to imprisonment.

F. Strengthening juvenile justice

72. In line with the plan of action for the implementation of the Vienna Declaration on Crime and Justice, section XII on juvenile justice, the Commission may wish to advise specifically on ways of strengthening cooperation with the other relevant partners, in particular other members of the coordination panel on technical advice and assistance in juvenile justice, established in line with the Guidelines for Action on Children in the Criminal Justice System in order to, among other things, follow up on the recommendations made by the Committee on the Rights of the Child on juvenile justice matters.

73. The Commission may further wish to recommend that the Centre for International Crime Prevention continue, in cooperation with other entities, to develop and carry out projects to prevent youth crime, to strengthen juvenile justice systems and to improve the rehabilitation and treatment of juvenile offenders, and to continue to promote children's rights through the three global programmes.

G. Increasing technical cooperation measures

74. In line with, and in order to ensure implementation of the relevant sections of, the plans of action for the implementation of the Vienna Declaration on Crime and Justice, the Commission may wish to call upon Member States to make available additional funds for technical cooperation measures geared towards the further use and application of United Nations standards and norms in crime prevention and criminal justice.

H. Enhancing cooperation and coordination of activities

75. The Commission may wish to consider ways to further improve cooperation and coordination between

the Centre for International Crime Prevention and the Office of the High Commissioner for Human Rights with the aim of reinforcing the existing collaboration in the implementation of their respective programmes, and to strengthen collaborative ties with UNICEF and other relevant intergovernmental and non-governmental organizations.

Notes

[1] *Eighth Untied Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, 27 August-September 1990: report prepared by the Secretariat* (United Nations publication, Sales No. E.91.IV.2), chap. I, sect. B.3, annex.

[2] *Eighth United Nations Congress* ..., chap. I, sect. C.3, annex.

[3] See *First United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Geneva, 22 August-3 September 1955: report prepared by the Secretariat* (United Nations publication, Sales No. 1956.IV.4), annex I.A.

[4] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex I.

[5] Ibid., annex II.

[6] *Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Milan, 26 August-6 September 1985: report prepared by the Secretariat* (United Nations publication, Sales No. E.86.IV.1), chap. I, sect. D.2, annex.

[7] United Nations publication, Sales No. E.92.IV.1 and corrigendum.

[8] *Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Vienna, 10-17 April 2000: report prepared by the Secretariat* (United Nations publication, Sales No. E.00.IV.8), chap. I.

[9] *Tenth United Nations Congress* ..., para. 22.

[10] The United Nations Crime Prevention and Criminal Justice Programme network consists of the Centre for International Crime Prevention and a number of interregional and regional institutes around the world, as well as specialized centres. It has been developed to assist the international community in strengthening international cooperation in the crucial area of crime prevention and criminal justice. Its components provide a variety of services, including exchange of information, research, training and public education. The members of the network include: Centre for International Crime Prevention, United Nations Interregional Crime and Justice Research Institute (UNICRI), Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders, Latin American Institute for the Prevention of Crime and the Treatment of Offenders, European Institute for Crime Prevention and Control, affiliated with the United Nations, African Institute for the Prevention of Crime and the Treatment of Offenders, Australian Institute of Criminology, International Centre for Criminal Law Reform and Criminal Justice Policy, International Institute of Higher Studies in Criminal Sciences, Naif Arab Academy for Security Sciences, National Institute of Justice of the United States Department of Justice, Raoul Wallenberg Institute of Human Rights and Humanitarian Law, International Centre for the Prevention of Crime and International Scientific and Professional Advisory Council.

[11] Examples are the guide for policy makers on the implementation of the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power (E/CN.15/1998/CRP.4); the handbook on justice for victims on the use and application of the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power (E/CN.15/1998/CRP.4/Add.1); the model strategies and practical measures on the elimination of violence against women in the field of crime prevention and criminal justice (E/CN.15/1999/CRP.8), United Nations, *Strategies for Confronting Domestic Violence: a Resource Manual* (ST/CSDHA/20); *Basic Education in Prisons* (United Nations publication, Sales No. 95.IV.3); and *Making Standards Work: an International Handbook on Good Prison Practice* (Penal Reform International, The Hague, 1995).

[12] See, in this connection, the report of the Commission on Crime Prevention and Criminal Justice on its seventh session (*Official Records of the Economic and Social Council, 1998, Supplement No. 10*) (E/1998/30), annex IV.A, as well as the report of the Secretary-General on the use and application of United Nations standards and norms in crime prevention and criminal justice (E/CN.15/1998/8 and Add.1).

[13] Report of the Commission on Crime Prevention and Criminal Justice on its tenth session (*Official Records of the Economic and Social Council, 2001, Supplement No. 10*) (E/2001/30/Rev.1), part one, chap. VI.B.

[14] For the full report of the meeting see B. Tkachuk and R. Walmsley, "World prison population: Facts, trends and solutions", *HEUNI Papers No. 15*, 2001. This report, the background paper and the eight technical papers presented during the workshop are available on

UNICRI's web site: http://www.unicri.it/news/default.htm

[15] R. Walmsley, research findings No. 88, No.116 and 166 (London, Home Office Research, Development and Statistics Directorate 1999, 2000 and 2002).

[16] The "World prison brief" is available on the Internet (www.prisonstudies.org); it is produced at the International Centre for Prison Studies, King's College, London.

[17] For details on the first meeting of the coordination panel, see the reports of the Secretary-General on the use and application of United Nations standards and norms in crime prevention and criminal justice (E/CN.15/1998/8 and Add.1, paras. 19 to 23, and E/CN.15/1999/7, para. 25) and for the second meeting the report of the Secretary-General on juvenile justice reform (E/CN.15/2000/5, para. 24).

[18] See the report of the Committee on the Rights of the Child (A/55/41, I B). For more details on the functioning of the Committee and the relationship between its work and the coordination panel, see the report of the Secretary-General on juvenile justice reform (E/CN.15/2000/5, paras. 14-22).

[19] *Enfants privés de Liberté, Droits et Réalités* (Liège, United Nations Children's Fund, 2000). Children in this study are defined as persons under the age of 18 years.

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Item 4 of the provisional agenda*
United Nations standards and norms in crime prevention and criminal justice

Effective community-based crime prevention

Note by the Secretary-General**

The Secretary-General hereby transmits to the Commission on Crime Prevention and Criminal Justice the report of the Meeting of the Group of Experts on Crime Prevention, which was held in Vancouver, Canada, from 21 to 24 January 2002, pursuant to Economic and Social Council resolution 2001/11 of 24 July 2001.

Report of the Meeting of the Group of Experts on Crime Prevention

(Vancouver, Canada, 21-24 January 2002)

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* E/CN.15/2002/1.

** The delay in submitting the present note was due to the late holding of the Meeting of the Group of Experts (21-24 January 2002).

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I. Introduction

1. In its resolution 2001/11 of 24 July 2001, the Economic and Social Council requested the Secretary-General to convene, subject to the availability of extrabudgetary resources, a meeting of experts selected on the basis of equitable geographical representation, for the purposes of further revising the draft elements of responsible crime prevention annexed to the working paper on effective crime prevention: keeping pace with new developments (A/CONF.187/7) submitted to the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held in Vienna from 10 to 17 April 2000,[1] and of proposing priority areas for international action, including the identification of technical assistance issues, to promote effective community-based crime prevention.

2. In resolution 2001/11, the Council also requested the Secretary-General to submit a report on the results of the meeting of the expert group, including its revised version of the draft elements of responsible crime prevention and the priority areas for international action to promote effective community-based crime prevention, to the Commission on Crime Prevention and Criminal Justice at its eleventh session for its consideration and action.

II. Organization of the Meeting

3. Pursuant to Economic and Social Council resolution 2001/11, the Meeting of the Group of Experts on Crime Prevention was held in Vancouver, Canada, from 21 to 24 January 2002. It was hosted by the Government of Canada. The Centre for International Crime Prevention of the Office for Drug Control and Crime Prevention of the Secretariat served as the secretariat for the Meeting.

A. Opening of the Meeting

4. The Meeting was opened by David Gates, Executive Director of the National Crime Prevention Centre, Government of Canada.

5. The experts were also welcomed on behalf of the United Nations by the representative of the Centre for International Crime Prevention.

B. Attendance

6. The Meeting was attended by 15 experts from 14 different countries, as well as 8 observers representing affiliated regional and associated institutes of the United Nations Crime Prevention and Criminal Justice Programme network and relevant non-governmental and other organizations (see annex I).

C. Election of officers

7. The following officers were elected by acclamation:

Co-Chairpersons:	Mary-Anne Kirvan (Canada) Dorothy Ahlgren Franklin (Canada)
Vice-Chairpersons:	Radim Bures (Czech Republic) Clara Szczaranski (Chile) Abdellatif Saadi (Morocco) Celia Leones (Philippines)
Rapporteur:	Mariano Ciafardini (Argentina)

Gloria Laycock (United Kindgom of Great Britain and Northern Ireland) and Irvin Waller (Canada) were invited by the Chairpersons to serve as Friends of the Chair to assist in developing the draft guidelines.

D. Adoption of the agenda

8. The Group of Experts adopted the following agenda:

1. Opening of the Meeting.
2. Election of officers.
3. Adoption of the agenda and organization of work.
4. Discussion and development of the final draft elements of responsible crime prevention.
5. Discussion of the priority areas for international action to promote effective community-based crime prevention.
6. Discussion and adoption of the report.
7. Closing of the Meeting.

III. Background

9. Pursuant to Economic and Social Council resolution 1997/33, the Secretary-General requested Governments to revise the elements of crime prevention annexed to the resolution. Governments were also invited to comment on the desirability and utility of such an instrument. A summary of the replies received from Governments, as contained in the report of the Secretary-General on crime prevention (E/CN.15/1999/3, paras. 38-62), was submitted to the Commission on Crime Prevention and Criminal Justice at its eighth session (E/CN.15/1999/7).

10. At the Expert Group Meeting on Elements of Responsible Crime Prevention: Addressing Traditional and Emerging Crime Problems, hosted by the Government of Argentina in Buenos Aires from 8 to 10 September 1999, the draft guidelines on elements of responsible crime prevention were revised and the revised draft was annexed to a working paper prepared by the Secretariat for the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders on effective crime prevention: keeping pace with new developments (A/CONF.187/7).

11. During the discussion at the Tenth Congress, Member States expressed their commitment to advancing effective crime prevention and their support for a well-crafted instrument that would reflect the contribution that effective crime prevention could and should make in terms of the safety and security of individuals, their person and their property in both the private and the public domain and would provide practical guidelines as to how this could be achieved.

12. There was also a clear understanding of the need to adopt a long-term, multifaceted strategy that cut across departments and that went beyond the formal criminal justice system. Analysis of the costs and benefits of preventive programmes for families, children and youth at risk have shown clear cost savings over the medium and long term for Governments and society.

13. In addition, by including relevant recommendations on crime prevention in the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century (General Assembly resolution 55/59, annex), adopted by the Tenth Congress, the importance of community-based crime prevention was fully acknowledged. Member States also fully recognized the need for comprehensive and multisectoral crime prevention strategies at the international, national and regional levels that would enable a consolidation of knowledge and experience and assist in the identification of an international agenda for action.[1]

IV. Development of the final draft elements of responsible crime prevention

14. The draft elements of responsible crime prevention prepared by the Expert Group Meeting in Buenos Aires served as the starting point for discussion at the Meeting of the Group of Experts on Crime Prevention held in Vancouver. At that meeting, the experts reviewed in detail all parts of the document and drew up a final draft version of text. The Group of Experts conducted a careful review of the draft elements, leading to the development of a new draft entitled "Guidelines for the Prevention of Crime" (see

annex II). It also established priority areas for international cooperation. The salient points of their discussion are outlined below.

15. The experts agreed that clear evidence showed that preventive measures, complementing criminal justice interventions, constituted cost-effective and humane approaches to reducing crime and victimization.

16. The experts noted that the words "elements of responsible crime prevention" had been used to date as the title to the document, but agreed that a title including the word "guidelines" would better serve the objective of developing a practical instrument.

17. The experts were of the view that, while there were many players in effective crime prevention, the onus was on Governments to take a leadership role. In their view the leadership role of Governments ought to be stated at the outset and more prominently than in the previous draft.

18. There was discussion on the scope of the guidelines and whether they were to focus only on community-based crime prevention or to extend to include other types of crime prevention. Clarification was received from the Secretariat that, while initially the draft elements were not meant to focus on community crime prevention, over the years Member States had become more concerned about that important aspect of crime prevention. Therefore, it was agreed that the main thrust of the proposed guidelines would be to address community-based crime prevention.

19. The experts discussed the role of the criminal justice system in crime prevention, including formal criminal justice sanctions, and considered what emphasis it should be given in the proposed guidelines. It was agreed that, while the criminal justice system performed preventive functions, they were outside the scope of the current guidelines, given their coverage in other standards and norms.

20. The experts examined whether and how best to define crime prevention. It was agreed that a specific definition should be avoided in the text, but that a variety of approaches should be described.

21. There was much discussion on the notion of social and economic development and its linkages to crime prevention. The experts agreed that links and interrelationships among sectors of society were critical to effective crime prevention and concluded that this must be reflected in the proposed guidelines. It was also agreed that the areas of social and economic development should be mentioned in the text (health, education, housing, poverty reduction and employment) and that particular emphasis should also be placed on their inclusion.

22. Partnership was also considered a key component of effective crime prevention strategies.

23. The experts agreed that it was important to recognize the linkages between crime committed at the local level and transnational crime. The importance was therefore stressed of ensuring that comprehensive national, regional and international actions addressed the international dimension of crime and its prevention.

24. The experts discussed the emphasis that should be accorded to vulnerable groups, including the need for emphasis on communities, families, children and youth at risk, and concluded that the guidelines should specifically highlight the need for crime prevention strategies to address the particular needs related to gender and minorities and to respect cultural identity.

25. The experts acknowledged that, in accordance with the Vienna Declaration, crime prevention should at all times be designed and implemented in accordance with the rule of law and with due regard for internationally recognized human rights. There was also consensus as to the importance of creating and stimulating a culture of lawfulness.

26. There was discussion on the roles of all parties in promoting and sustaining crime prevention activities. The experts agreed that Governments had a paramount role in creating the conditions and frameworks conducive to sustainable crime prevention work.

27. It was agreed to include in the proposed guidelines practical methods and approaches for designing, planning, implementing and evaluating crime prevention programmes. The experts stressed the importance of involving the community at all stages and recognized that States would need to adapt methods and approaches so as to take into account their unique governmental structures as well as specific community needs, desires and concerns.

28. The experts were of the view that an international crime prevention framework should set out achievable

and specific tasks and foster international exchange of the most promising practices in crime prevention and that whenever possible technical assistance should be provided to countries requesting it.

29. There was consensus on cooperation in promoting international action in crime prevention, taking into account the relevant international instruments. There was also a call for increased financial assistance and for capacity-building and training in developing countries and countries with economies in transition.

V. Priority areas for international action to promote effective community-based crime prevention

30. The experts agreed on the following priority areas for international action:

(a) *Inter-agency coordination*. Relevant entities of the United Nations system and the specialized agencies should strengthen inter-agency coordination and cooperation in crime prevention, as set out in the proposed guidelines for the prevention of crime. To that end, the guidelines should be disseminated widely within the United Nations system;

(b) *Technical assistance and fundraising*. The Centre for International Crime Prevention and the United Nations Crime Prevention and Criminal Justice Programme network of affiliated institutes should prepare, in consultation with Member States, a global programme on crime prevention in order to implement pilot technical assistance projects, including research and capacity-building, in developing countries and countries with economies in transition in the context of good governance and to take action to mobilize funds for that purpose. A roster of experts to undertake needs assessment and to provide advice should also be compiled;

(c) *Networking*. Member States should establish or strengthen national, regional and international crime prevention networks with a view to developing knowledge-based strategies, exchanging best and promising practices, identifying elements that were transferable, and making such knowledge available to communities throughout the world. To that end, the Programme network of affiliated and associated institutes should be given additional support. Direct cooperation between cities in crime prevention should also be encouraged;

(d) *Dissemination*. Relevant United Nations bodies, in cooperation with Member States, should produce guides, manuals, handbooks and tool kits on community-based crime prevention for dissemination and training in appropriate languages through print, the Internet and other means to Member States;

(e) *Public awareness*. The Centre for International Crime Prevention and the Programme network, in collaboration with Member States and specialized expert organizations, should conduct public awareness and education campaigns on effective and humane crime prevention and the respective contributions that individuals, families, communities and all levels of government could make towards safer and more peaceful communities;

(f) *"Designing out" crime*. The Centre for International Crime Prevention should explore ways to encourage the corporate sector to design their products so that they were less vulnerable to crime;

(g) *High-level meeting*. Crime prevention should be selected as an item on the agenda of the high-level segment at the Eleventh United Nations Congress on Crime Prevention and Criminal Justice in order to encourage political commitment to the development and sustainability of crime prevention programmes, including international cooperation;

(h) *Timetable*. The Centre for International Crime Prevention, in cooperation with Member States, should implement activities in the above priority areas for international cooperation by 2005 and prepare a report on progress for submission to the Commission on Crime Prevention and Criminal Justice at its session immediately following the Eleventh Congress.

Notes

[1] See *Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Vienna, 10-17 April 2000: report prepared by the Secretariat* (United Nations publication, Sales No. E.00.IV.8).

Annex I

List of participants in the Meeting of the Group of Experts

Experts

Sarunas Adomavicius (Lithuania)

Radim Bures (Czech Republic)

K. Chockalingam (India)

Mariano Ciafardini (Argentina)

Dorothy Ahlgren Franklin (Canada)

Dianne Heriot (Australia)

Klara Kerezsi (Hungary)

Mary-Anne Kirvan (Canada)

Celia Leones (Philippines)

Norman Moleboge (Botswana)

Kurt Neudek (Uganda)

Andrzej Przemyski (Poland)

Abdellatif Saadi (Morocco)

Clara Szczaranski (Chile)

Edwin Zedlewski (United States of America)

Observers

United Nations Secretariat

Centre for International Crime Prevention of the Office for Drug Control and Crime Prevention
Jan van Dijk

United Nations Centre for Human Settlements (Habitat)
Franz Vanderschuren

Affiliated regional institutes and associated institutes of the United Nations Crime Prevention and Criminal Justice Programme network

Latin American Institute for the Prevention of Crime and the Treatment of Offenders
Elias Carranza

European Institute for Crime Prevention and Control, affiliated with the United Nations
Kauko Aromaa

African Institute for the Prevention of Crime and the Treatment of Offenders
Eric Kibuka

International Centre for the Prevention of Crime
Margaret Shaw

Non-governmental organizations

Jill Dando Institute of Crime Sciences
Gloria Laycock

World Society of Victimology
Irvin Waller

Other

Sicilian Regional Assembly
Leoluca Orlando

Annex II

Revised draft Guidelines for the Prevention of Crime

I. Introduction

1. There is clear evidence that well-planned crime prevention strategies not only prevent crime and victimization, but also promote community safety and contribute to the sustainable development of countries. Effective, responsible crime prevention enhances the quality of life of all citizens and reflects core values and human rights. It has long-term benefits in terms of reducing the costs associated with the formal criminal justice system, as well as other social costs that result from crime. Crime prevention offers opportunities for a more cost-effective and humane approach to the problems of crime. The present Guidelines outline the necessary elements for effective crime prevention in the context of good governance.

II. Conceptual frame of reference

2. It is the responsibility of all levels of government to create, maintain and promote a context within which relevant governmental institutions and all segments of civil society, including the corporate sector, can better play their part in preventing crime.

3. For the purposes of the present Guidelines, "crime prevention" comprises strategies and measures that seek to reduce the risk of crimes occurring, and their potential harmful effects on individuals and society, including fear of crime, by intervening to influence their multiple causes. The enforcement of laws, sentences and corrections, while also performing preventive functions, falls outside the scope of the Guidelines, given the comprehensive coverage of the subject in other United Nations instruments.[a]

4. The present Guidelines address crime and its effects on victims and society and take into account the growing internationalization of criminal activities.

5. Community involvement and partnerships represent important elements of the concept of crime prevention set out herein.

6. Crime prevention encompasses a wide range of approaches, including those which:

(a) Promote the well-being of people and encourage pro-social behaviour through social, economic, health and educational measures, with a particular emphasis on children and youth, and focus on the risk and protective factors associated with crime and victimization (prevention through social development or social crime prevention);

(b) Change the conditions in neighbourhoods that influence offending, victimization and the insecurity that results from crime by building on the initiatives, expertise and commitment of community members (locally based crime prevention);

(c) Prevent the occurrence of crimes by reducing opportunities, increasing risks of being apprehended and minimizing benefits, including through environmental design, and by providing assistance and information to potential and actual victims (situational crime prevention);

(d) Prevent recidivism by assisting in the social reintegration of offenders (reintegration programmes).

III. Basic principles

Government leadership

7. All levels of government should play a leadership role in developing effective and humane crime prevention strategies and in creating and maintaining institutional frameworks for their implementation and review.

Socio-economic development and inclusion

8. Crime prevention considerations should be integrated into all relevant social and economic policies and programmes, including those addressing employment, education, health, housing and urban planning, poverty, social marginalization and exclusion. Particular emphasis should be placed on communities, families, children and youth at risk.

Partnerships

9. Partnerships are an integral part of effective crime prevention, given the wide-ranging nature of the causes of crime and the skills and responsibilities required to address them. This includes partnerships working across ministries and between authorities, community organizations, non-governmental organizations, the business sector and private citizens.

Sustainability/accountability

10. Crime prevention requires adequate resources, including funding for structures and activities, in order to be sustained. There should be clear accountability for funding, implementation and evaluation and for the achievement of planned results.

Knowledge base

11. Crime prevention strategies, policies, programmes and actions should be based on a broad, multidisciplinary foundation of knowledge about crime problems, their multiple causes and promising and proven practices.

Human rights/rule of law/culture of lawfulness

12. The rule of law and internationally recognized human rights must be respected in all aspects of crime prevention. A culture of lawfulness should be actively promoted in crime prevention.

Interdependency

13. National crime prevention diagnoses and strategies should, where appropriate, take account of links between local criminal problems and international organized crime.

Differentiation

14. Crime prevention strategies should pay due regard to the different needs of men and women and to different cultural identities and minorities.

IV. Organization, methods and approaches

15. Recognizing that all States have unique governmental structures, this section sets out tools and methodologies that Governments and all segments of civil society should consider in developing strategies to prevent crime and reduce victimization. It draws on international good practice.

Community involvement

16. In some of the areas listed below, Governments bear the primary responsibility. However, the active participation of communities and other segments of civil society is an essential part of effective crime prevention. Communities, in particular, can play an important part in identifying crime prevention priorities, in implementation and evaluation, and in helping identify a sustainable resource base.

A. Organization

Government structures

17. Governments should include prevention as a permanent part of their structures and programmes for controlling crime, ensuring that clear responsibilities and goals exist within government for the organization of crime prevention, by, inter alia:

(a) Establishing centres or focal points with expertise and resources;

(b) Establishing a crime prevention plan with clear priorities and targets;

(c) Establishing linkages and coordination between relevant government agencies or departments;

(d) Fostering partnerships with non-governmental organizations, the business, private and professional sectors and the community;

(e) Seeking the active participation of the public in crime prevention by informing it of the need for and means of action and its role.

Training and capacity-building

18. Governments should support the development of crime prevention skills by:

(a) Providing professional development for senior officials in relevant agencies;

(b) Encouraging universities, colleges and other relevant educational agencies to offer basic and advanced courses, including in collaboration with practitioners;

(c) Working with the educational and professional sectors to develop certification and professional qualifications;

(d) Promoting the capacity of communities to develop and respond to their needs.

Supporting partnerships

19. Governments and all segments of civil society should support the principle of partnership, where appropriate, including:

(a) Advancing knowledge of the importance of this principle and the components of successful partnerships, including the need for all of the partners to have clear and transparent roles;

(b) Fostering their formation at different levels and across sectors;

(c) Facilitating their efficient operation.

Sustainability

20. Governments and other funding bodies should strive to achieve sustainability of demonstrably effective crime prevention programmes and initiatives through, inter alia:

(a) Reviewing resource allocation to establish and maintain an appropriate balance between crime prevention and the criminal justice and other systems, to be more effective in preventing crime and victimization;

(b) Establishing clear accountability for funding, programming and coordinating crime prevention initiatives;

(c) Encouraging community involvement in sustainability.

B. Methods

Knowledge base

21. As appropriate, Governments and/or civil society should facilitate knowledge-based crime prevention by, inter alia:

(a) Providing the tools necessary for communities to address crime problems;

(b) Supporting the generation of useful and practically applicable knowledge that is scientifically reliable and valid;

(c) Supporting the organization and synthesis of knowledge and identifying and addressing gaps in the knowledge base;

(d) Sharing that knowledge, as appropriate, among, inter alia, researchers, policy makers, educators, practitioners from other relevant sectors and the wider community;

(e) Applying this knowledge in replicating successful interventions, developing new initiatives and anticipating new crime problems and prevention opportunities;

(f) Establishing data systems to help manage crime prevention more cost-effectively, including by conducting regular surveys of victimization and offending;

(g) Promoting the application of those data in order to reduce repeat victimization, persistent offending and areas with a high level of crime.

Planning interventions

22. Those planning interventions should promote a process that includes:

(a) A systematic analysis of crime problems, their causes, risk factors and consequences, in particular at the local level;

(b) A plan that draws on the most appropriate approach and adapts interventions to the specific local problem and context;

(c) An implementation plan to deliver appropriate interventions that are efficient, effective and sustainable;

(d) Mobilizing entities that are able to tackle causes;

(e) Monitoring and evaluation.

Support evaluation

23. Governments, other funding bodies and those involved in programme development and delivery should:

(a) Undertake short- and longer-term evaluation to test rigorously what works, where and why;

(b) Undertake cost-benefit analyses;

(c) Assess the extent to which action results in a reduction in levels of crime and victimization, in the seriousness of crime and in fear of crime;

(d) Systematically assess the outcomes and unintended consequences, both positive and negative, of action, such as a decrease in crime rates or the stigmatization of individuals and/or communities.

C. Approaches

24. This section expands upon the social developmental and situational crime prevention approaches. It also outlines approaches that Governments and civil society should endeavour to follow in order to prevent organized crime.

Social development

25. Governments should address the risk factors of crime and victimization by:

(a) Promoting protective factors through comprehensive and non-stigmatizing social and economic development programmes, including health, education, housing and employment;

(b) Promoting activities that redress marginalization and exclusion;

(c) Promoting positive conflict resolution;

(d) Using education and public awareness strategies to foster a culture of lawfulness and tolerance while respecting cultural identities.

Situational

26. Governments and civil society, including where appropriate the corporate sector, should support the development of situational crime prevention programmes by, inter alia:

(a) Improved environmental design;

(b) Appropriate methods of surveillance that are sensitive to the right to privacy;

(c) Encouraging the design of "crime-proof" products;

(d) Target "hardening" without impinging upon the quality of the built environment or limiting free access to public space;

(e) Implementing strategies to prevent repeat victimization.

Prevention of organized crime

27. Governments and civil society should endeavour to analyse and address the links between transnational organized crime and national and local crime problems by, inter alia:

(a) Reducing existing and future opportunities for organized criminal groups to participate in lawful markets with the proceeds of crime, through appropriate legislative, administrative or other measures;

(b) Developing measures to prevent the misuse by organized criminal groups of tender procedures conducted by public authorities and of subsidies and licences granted by public authorities for commercial activity;

(c) Designing crime prevention strategies, where appropriate, to protect socially marginalized groups, especially women and children, who are vulnerable to the action of organized criminal groups, including trafficking in persons and smuggling of migrants.

V. International cooperation

Standards and norms

28. In promoting international action in crime prevention, Member States should set out achievable and specific tasks that take into account the main international instruments related to human rights and crime prevention, such as the Convention on the Rights of the Child (General Assembly resolution 44/25, annex), the Declaration on the Elimination of Violence against Women (resolution 48/104), the United Nations Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines) (resolution 45/112, annex), the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power (resolution 40/34, annex), Guidelines for Cooperation and Technical Assistance in the Field of Urban Crime Prevention (Economic and Social Council resolution 1995/9, annex), as well as the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century (General Assembly resolution 55/59, annex) and the United Nations Convention against Transnational Organized Crime and the Protocols thereto (resolutions 55/25, annexes I-III, and 55/255, annex).

Technical assistance

29. Member States and relevant international funding organizations should provide financial and technical assistance, including capacity-building and training, to developing countries and countries with economies in transition, communities and other relevant organizations for the implementation of effective crime prevention and community safety strategies at the regional, national and local levels. In that context, special attention should be given to research and action on crime prevention through social development.

Networking

30. Member States should strengthen or establish international, regional and national crime prevention networks with a view to exchanging best and promising practices, identifying elements of their transferability and making such knowledge available to communities throughout the world.

Links between transnational and local crime

31. Member States should collaborate to analyse and address the links between transnational organized crime and national and local crime problems.

Prioritizing crime prevention

32. The Centre for International Crime Prevention, the United Nations Crime Prevention and Criminal Justice Programme network of affiliated and associated institutes and other relevant United Nations entities should include in their priorities crime prevention as set out in these Guidelines, set up a coordination mechanism and establish a roster of experts to undertake needs assessment and to provide technical advice.

Dissemination

33. Relevant United Nations bodies and other organizations should cooperate to produce crime prevention information in as many languages as possible, using both print and electronic media.

Notes

* See *Compendium of United Nations Standards and Norms in Crime Prevention and Criminal Justice* (United Nations publication, Sales No. E.92.IV.1 and corrigendum).